

Great Britain. Commons. H. 1

Orders *and* Resolutions

Of the HONOURABLE

HOUSE of COMMONS,

Rail. Wm

On Controverted

Gray

ELECTIONS *and* RETURNS:

Determining the Qualifications of

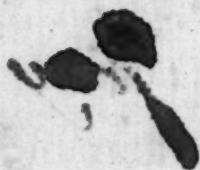
CANDIDATES and VOTERS; the RIGHTS of ELECTION for the several CITIES and BOROUGHs; the Nature of EVIDENCE proper on the HEARING; and the Duty of RETURNING OFFICERS.

The STATUTES in force concerning ELECTIONS, are also pointed out under proper HEADS.

The SECOND EDITION, with ADDITIONS.

L O N D O N:

Printed for J. STAGG, in *Westminster-Hall*;
and D. BROWNE, at the *Black-Swan*,
without *Temple-Bar*. 1736.





To the Right Honourable

Sir *William Yonge*, Bar^t.

Knight of the most Honourable
Order of the BATH, &c.

S I R,

AUTHORS of all Sorts and Sizes claim a prescriptive Right to make Addresses of this Nature without Permission first obtained; and they seem to have Reason, if what is said, be true of

*Lord Hallifax, who claimed the Station,
To be Mæcenæ of the Nation.*

'Tis related that he generally received Dedications favourably; but never gave leave to dedicate, if ask'd: And he used to say, the Request was absurd.

Your long and early Experience, Sir, in Parliamentary Affairs, makes a Collection of this Kind, the less necessary to you: But as hardly any Memory can

be punctual to fix some Hundreds of different Dates, it may be useful as a Repertory to direct to the Journals of the House. Besides, Dedications are more frequently made, because the Author desires to have a Patron, than because the Patron has any need of the Author, or his Works.

The principal Part, Sir, of this little Performance is only a Collection of Votes relating to Elections and Returns, and Questions incidental to them. This Transcript any body might have made, who had known what to transcribe; the Merit of the Work then consists in having made a better Choice of Materials, than others who have attempted Collections or Treatises on the Subject.

I did not think my self at liberty to reject any one Vote, which might seem to imply some Doctrine relating to the Title before me: Therefore if in this Collection, there shou'd be any Resolution which flowed from the Rage of Party in unsteady Times, (as I think some such may be pointed out;) let it stand as a Warning to future Parliaments to avoid

void striking on the same Rock. For, what the noble Historian wisely and honestly observes concerning the Ship-Money Judges, will hold true even of Parliaments themselves: ‘ When *the* ‘ *People* heard this demanded in a Court ‘ of Law, as a Right, and found it by ‘ sworn Judges of the Law adjudged ‘ so, upon such Grounds and Reasons ‘ as every Stander-by was able to swear ‘ was not Law——They no more ‘ look’d upon it as the Case of one ‘ Man, but the Case of the Kingdom. ‘ ——And no question, as the Exorbitancy of the House of Commons, in ‘ the next Parliament, proceeded principally from their Contempt of the ‘ Laws, and that Contempt from the ‘ Scandal of that Judgment: So the ‘ Concurrence of the House of Peers ‘ in that Fury, can be imputed to no one ‘ thing more than to the irreverence ‘ and scorn the Judges were justly in—— ‘ If these Men had preserved the Simplicity of their Ancestors, in severely ‘ and strictly defending the Laws, other ‘ Men had observed the Modesty of ‘ theirs in humbly and dutifully obeying ‘ them.

‘ them.’ And I may add, that this very Contempt in the compass of ten Years fell upon every Order of the Legislature, for one and the same Reason, *viz.* the manifest Abuse of Power.

This, Sir, is the Address of a Freeman to one of the Guardians of *British* Liberty. Early, as you was introduced to a Court; early admitted into the Cabinet; early representing your Country in Parliament; and serving in high Employments a royal Master, who knows his Throne is founded on the same Basis with the Liberties and Properties of his People: It exactly satisfies our Wishes and Expectations, when we behold in Sir *William Yonge* the Courtier, Statesman and Patriot united.

Pardon the Liberty here taken; and accept it as a Proof of the profound Respect, with which I am, Sir,

Your most Humble,

and most Obedient Servant.

P R E F A C E.

THE following Sheets were compiled and published about the Time of the Teste of the last Writs for Parliamentary Elections, and were designed to inform returning Officers of their Duty, and Candidates and Electors of their Rights.

'Tis true, there are many good Acts of Parliament in Force for this Purpose, but 'tis also necessary to see how those Acts have been understood by that August Judicature, which hath the primary and fundamental Authority to expound them. One of them particularly refers to the last Determination of the House of Commons, to regulate the Judgment of the returning Officer, upon what Merits he is to make his Return. Are not these Determinations therefore become Part of the Law of the Land? And tho' they do not bind the House of Commons in the future, yet, as against returning Officers, they have the Force of an Act of Parliament. This Work is therefore a Book of Reports, or adjudged Cases, and may also
serve

serve as a Repertory to the Gentlemen who have the Honour to be Members of that great Assembly, and to Petitioners and their Counsel.

The Cases are numbred, for the Sake of References to them from the Index, &c. they are more than three hundred in Number; of which the first Seventy are in Alphabetical Order, according to the Names of the Counties, Cities, and Boroughs, and end at the Year 1700. These are extracted out of a Book published in Folio about Twenty-five Years ago, dedicated to Sir Richard Onslow, the then Speaker, and to the then House of Commons; the remaining Two hundred and Seventy Numbers are in serie Temporis, and are extracted from the Volumes of printed Votes at large, from the Year 1700, to the End of the Session 1734, which were all the Volumes the Compiler had an Opportunity to use on this Occasion.

Compleat Sets of Votes for many Years are in very few Hands, nor are they likely to undergo a second Impression: Therefore considering that many of them relating to this Subject are the very Law it self, it is hoped this little Collection will (for so much) be esteemed a laudable Undertaking, for the Advancement of publick Justice in the most important Instance.

PREFACE.

ix

*Instance. Without some such Assistance, returning Officers might labour under an Evil never intended them by the Honourable House of Commons, (who always publish in Print whatever Act of theirs they would have the Publick take Notice of;) under an Evil like that contrived for the Roman People by Caligula, who published Penal Laws, * sed & minutissimis * Suetonius in Caligula, cap. 41. Literis, & angustissimo Loco: uti ne cui describere liceret. But We live in an Augustan Age, under the Government of known Laws.*

The Hurry of the former Edition occasioned a few Faults and Omissions, which are corrected in this.



A

Just

Just Published,

*Printed for J. STAGG, in Westminster-Hall;
and D. BROWNE, at the Black-Swan,
without Temple-Bar.*

I. **A**LL the Statutes at large, concerning the Election of Members to serve in the House of Commons; containing a compleat Collection of all the Acts of Parliament now in force, which relate thereto, continued to the End of the last Session of Parliament.

II. *Lex Parliamentaria*: or, a Treatise of the Law and Custom of Parliaments; shewing their Antiquity, Names, Kinds, and Qualities. Of the three Estates; and of the Dignity and Excellency of Parliaments, their Power and Authority. Of the Election of Members of the House of Commons in general, their Privilege, Qualifications, and Duties. Of the Electors; and their Rights, Duties, and Manner of Elections. Of the Returns to Parliament; the Sheriff's and other Officer's Duty therein. Of the Manner of Election of the Speaker; and of his Business and Duty. Of the Manner of passing Bills, and the Orders to be observed in the House of Commons. Of Sessions of Parliament; as also of Prorogations and Adjournments: Together with the proper Laws and Customs of Parliaments. With an Appendix of a Case in Parliament between Sir Francis Goodwyn and Sir John Fortescue, for the Knight's Place for the County of Bucks, 1 Jac. I.

III. A System of English Ecclesiastical Law: Extracted from *Codex Juris Ecclesiastici Anglicani* of the Right Reverend the Lord Bishop of London. For the Use of young Students in the Universities, who are designed for Holy Orders. By Richard Grey, D. D. Rector of Hinton in Northamptonshire.





ORDERS *and* RESOLUTIONS, &c.

I.

Mercurii, 8 die Januarii, 1689.

Resolved,

THAT those who receive Alms according to the Act of Parliament for the Relief of the Poor, have no Votes in electing of Burgesses to serve in Parliament for the Borough of *Abingdon*.

Resolved, That those Inhabitants who receive any constant Alms, either Monthly, Quarterly, Weekly, or Yearly, have no Voices in such Elections.

Veneris, 3 die Martii, 1698.

Resolved, That the Proceedings of *William Hucks Esq;* (in presuming to make use of the Authority of the Government to the Borough of *Abingdon*, in order to be

elected a Burgeſſ for the ſaid Borough) is a ſcandalous Reflexion upon the Government, and tends to ſubvert the Freedom of Elections of Members to ſerve in Parliament.

Ordered, That the ſaid *William Hucks*, Eſq; be taken into Cuſtody.

2.

Jovis, 22 die Decembris, 1698.

Resolved, That all Perſons receiving Alms within the Borough of *Ailesbury*, purſuant to the Will of Mr. *Bedford*, or any other Perſons receiving any other Charity annually diſtributed in the ſame Town, are in reſpect thereof diſabled to vote in the Election of Burgeſſes to ſerve in Parliament for the ſaid Borough.

3.

Luna, 10 die Martis, 1700.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the Borough of *Saint Albans*, is in the Mayor, Aldermen, and Freemen, and ſuch Houſholders as pay Scot and Lot.

4 *Jovis*

4.

Jovis, 15 die Maii, 1679.

Resolved, That all the Inhabitants of the Borough of *Aldborough* in the County of *York*, paying Scot and Lot, have only Right to vote in electing Members of Parliament for the said Borough.

5.

Sabbati, 17 die Maii, 1690.

Resolved, That the Right of electing Burgesses to serve in Parliament for the Borough of *Aldborough* in the County of *York*, is not in the select Number of Burgesses holding by Burgage-Tenure.

Resolved, That all the Inhabitants of the said Borough of *Aldborough*, paying Scot and Lot, have Right to vote in electing of Members of Parliament for the said Borough.

6.

Lunæ, 21 die Decembris, 1696.

Resolved, Nemine contradicente, That *Henry Fairfax Esq;* having, contrary to the late Act of Parliament for the better preventing Disorders and Abuses in Elections

to Parliament, expended Money in order to his Election to serve in this present Parliament for the Borough of *Aldborough* in the County of *York*, since the Vacancy thereof by the Death of Sir *Michael Wentworth*, is disabled and incapacitated upon the said Election to serve as a Burgess for the said Borough.

Mercurii, 27 die Januarii, 1696.

Resolved, That during this Session of Parliament, no Warrant for a new Writ do issue for the electing a Burgess to serve in this present Parliament for the said Borough of *Aldborough*, in the room of Sir *Michael Wentworth*, Bart. deceased.

7.

Luna, 17 die Martii, 1700.

Resolved, That the Electors of the Borough of *Andover* (in Com. *Southampton*) have endeavoured corruptly to set to sale the Election of a Burgess to serve in this Parliament for the said Borough.

Resolved, That the lending of Money upon any Security to a Corporation which sends Members to Parliament, and remitting the Interest of the same, with Intent to influence the Election of such
Cor-

Corporation, is an unlawful and dangerous Practice.

Mercurii, 19 die Martii, 1700.

Resolved, That Sir Edward Seymour, Baronet, hath made good his general Charge against Samuel Sheppard, Sen. Esq; of Bribery and Corruption, &c.

Resolved, Nemine contradicente, That the Thanks of the House be given to Sir Edward Seymour, Bart. a Member of this House, for the great Service he hath done the Publick in detecting the Bribery and Corruption which hath been practised in the Elections of several Members to serve in this present Parliament.

Mercurii, 16 die Aprilis, 1701.

Mr. Samuel Sheppard, Sen. expelled the House, and remanded to the Tower.

8.

Jovis, 22 die Februarii, 1693.

Resolved, That the Right of Election of Burgeses to serve in Parliament for the Borough of Arundel in the County of Sussex, is only in the Inhabitants of the said Borough, paying Scot and Lot.

9. Martis,

9.

Martis, 29 die Decembris, 1691.

Resolved, That the Right of Election of a Burgeſſs to ſerve in this preſent Parliament for the Borough of Banbury, is in the Mayor, Aldermen, and Capital Burgeſſes of Banbury only.

10.

Sabbati, 12 die Aprilis, 1690.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the ſaid Borough (Bedford) is in the Freemen, Burgeſſes, and Inhabitants, being Houſholders of Bedford, not receiving Alms.

Resolved, That after the Return made into the Crown-Office of Members to ſerve in Parliament, the ſame ſhall not be altered by the Sheriff, or Clerk of the Crown, or any other, but by this Houſe.

11.

Martis, 27 die Maii, 1679.

Resolved, That all the Inhabitants of the Borough of Bewdley (in Com. Worcester) have not a Right to vote in Elections of Mem-

Members to serve in Parliament for the said Borough.

12.

Jovis, 8 die Maii, 4 C. 1. 1628.

Resolved, That the Right of Election for Burgesses to serve in Parliament for the Borough of *Boston* (in *Com. Lincoln*) resteth in the Commonalty, and not in the Mayor, Aldermen, and Common-Council.

13.

Martis, 1 die Aprilis, 1697.

There were two Indentures affixed to the Writ for the Town of *Brecon*; the first, between some Aldermen and Burgesses of one Part, and the Sheriff of the other; the second, between the Sheriff of one Part, and the Bailiff of that Borough of the other; whereby *John Jefferies, Esq;* was returned.

Resolved, That the Indenture wherein *John Jefferies, Esq;* is returned to serve in this Parliament for the Borough of *Brecon*, is well and duly returned, and by the proper Officer; and that thereupon, he ought to sit, as well and duly returned to serve in this Parliament for the said Borough of *Brecon*.

14. *Mer-*

14.

Mercurii, 12 die Martis, 1700.

Resolved, That it appears that Mr. Lawton is guilty of tampering with Witnesses, and endeavouring to suppress the Evidence to be given concerning the corrupting the Electors for the said Borough (*Bramber in Suffex.*)

Ordered into Custody for the said Offence.

Resolved, That it appears that Mr. Samuel Cutting hath endeavoured by Bribes and other indirect Practices to corrupt the Electors for the said Borough.

Ordered into Custody for the said Offence.

Jovis, 13 die Martii, 1700.

Resolved, That Samuel Sheppard, Senior, Esq; is guilty of sending out of the way a Witness, and endeavouring to suppress the Evidence touching Matters under the Examination of this House.

15.

Sabbati, 2 Aprilis, 4 C. 1. 1628.

Resolved, That the Commonalty in general (*of the Borough of Bridport in Com. of Dorset*) ought to have Voices in the Election of Burgesses for Parliament.

Resolved,

Resolved, That it is a void Election, in respect of the want of Warning to the Commonalty.

16.

Martis, 11 die Novembris, 1690.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Borough of *Buckingham* (in Com. Bucks) is in the Bailiff and twelve Burgesses of *Buckingham* only.

17.

Veneris, 28 die Novembris, 1690.

Resolved, That the Adjournment of the Poll taken at the Election of the Knight of the Shire for the County of *Cardigan*, by the Sheriff of the said County, from *Aberistwith* to *Cardigan*, is a legal and good Adjournment.

Note, *There is an Act*, 1 Mar. which appoints the Sheriff's Tourn to be kept at *Cardigan* and *Aberistwith* alternis vicibus;

But see Stat. 7 & 8 W. 3. c. 25.

18.

Lunæ, 14 die Novembris, 1692.

Resolved, *Nemine Contradicente*, That the Disfranchising of *Christopher Musgrave*, Esq; a Member of this House, by the Mayor, Alder-

Aldermen, and Citizens of the City of *Carlisle*, is a Breach of the Privilege of this House.

And the Persons most concerned, were ordered into Custody.

19.

Sabbati, 28 die Martii, 1696.

The Committee reported that the Right of Election for Colchester in Essex, was agreed to be in the sworn Burgeses, not receiving Alms.

20.

Sabbati, 22 die Februarii, 1695.

The Committee reported that it was agreed that the Right of Election for the Borough of Cricklade (in Com. Wilts) was in the Freeholders, Copyholders, and Leaseholders, for not less than three Years.

21.

Martis, 4 die Novembris, 1690.

Resolved, by the Committee, that the Inhabitants of the Borough of Cirencester (in Com. Gloucester) receiving a charitable Donative, commonly called By-Money, have not a Right to vote in electing Burgeses to serve in Parliament.

Resolved,

Resolved, That the Inhabitants of the Borough of *Cirencester* being Inmates, have no Right to Vote in electing Burgesſes to ſerve in Parliament.

Upon the Queſtion, the Houſe did not agree unto the firſt Reſolution, but agreed unto the Second.

22.

Jovis, 28 die Novembris, 1689.

The Committee reported, that it appeared the Right of Election for the Borough of *Dartmouth* alias *Clifton-Dartmouth-Hardneſs* (in *Com. Devon.*) was in the Freemen of the ſaid Borough.

Resolved, *Nemine contradicente*, That 25 new Freemen, made after the Writ bore *Teſte*, were not duly nor legally made, agreed to by the Houſe.

Ordered, That Mr. *Whitrow*, the late Mayor, be taken into Cuſtody for his Miſdemeanors in making the ſaid Freemen.

23.

Sabbati, 29 die Martii, 1690.

A double Return for the Borough of *Devizes* (in *Com. Wilts*) one by the Mayor without any Burgeſſes joining in the Return; the other by ſeveral of the Burgeſſes without the Mayor.

a

Resolved,

Resolved, That Sir *Thomas Fowles* and *Walter Grubb*, Esq; returned by the Mayor, are duly returned to serve in this present Parliament for the Borough of the *Devizes*.

24.

Veneris, 15 die Februarii, 1677.

Whereas on the 30th of *April* last, an Election was intended to be made of a Knight of a Shire for the County of *Dorset*, upon a Writ legally issued for that purpose.

Resolved, That such Elections and the Returns thereupon are void.

1. Because the Sheriff did not execute or obey his Writ.

2. Because he left divers Freeholders unpollled, and made no due Proclamation before he closed the Poll.

3. Because he did not number those Voices he polled, nor declared who he judged to be duly elected.

Lastly, Because he returned two Persons, when he should have returned but one; and signified such his Return to be the Agreement of the Parties, rather than his Judgment according to Right and Law.

A new Writ ordered.

25. *Martis,*

Martis, 1 die Aprilis, 1679.

The Writ was directed, *Constabulario Castri Dover ac Custod. quinque Portuum vel ejus Locumtenenti ibidem*; endorsed thus, *Executio istius Brevis patet in quibusdam Schedulis huic Brevi annex.*—*Responsio Johannis Strode Arm. Locumtenentis Domini Regis Castri Dover, &c.* To the Writ was affixed,

1. A Precept made by said *John Strode*, Esq; to the Mayor, Jurats, and Commonalty of the Town and Port of *Dover*, &c. to choose two Barons, which Precept was endorsed thus; *Executio istius mandati patet in quadam Indentura huic Præcept. annex. per Major. Jurat. & Communitat. Ville & Port. de Dover prædict. in Comitatu prædict.*

2. There was also affixed to said Writ an Indenture between said *John Strode* of one Part, and the Mayor, Jurats and Commonalty of *Dover* of the other Part, witnessing that they had chosen *William Stokes* and *Thomas Papillion*, Esqs; &c. in witness whereof they had caused their common Seal to be affixed thereto; and accordingly a large Seal was affixed to said Indenture.

3. There was also affixed to said Writ a Writing purporting an Indenture, but made between no Body; witnessing that the

Mayor, Jurats, and Barons of the Town and Port of *Dover*, in a full Hundred there; that is to say, *George West* Deputy-Mayor, *J. V.* and *A. W.* Jurats, Five of the Common-Council, and Ten others stiled Barons of the said Port, have chosen *Thomas Papillion*, Gent. and *John Strode*, Esq; our Common-Barons: In witness whereof We, the Mayor, Jurats, and Barons of the Port aforesaid, have put our Hands and Seals. 'Twas subscribed by *George West* Deputy-Mayor, and Seventy others, and eighteen Seals affixed at the Bottom; but no great or common Seal to it, or mentioned so to be.

Resolved, That the Indenture wherein *William Stokes*, Esq; and *Thomas Papillion*, Esq; are returned, &c. is well and duly returned, and by the proper Officer; and that thereupon they ought to sit as duly returned, to serve in this Parliament for the said Town and Port of *Dover*.

26.

Martis, 11 die Novembris, 1690.

Resolved, That the Right of electing Burgeses to serve in Parliament for the Borough of *Droitwich*, (in *Com. Worcester.*) is in the Burgeses of the Corporation of the Salt-springs of *Droitwich*.

27.

27.

Martis, 8 die Decembris, 1691.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Dunwich* in the County of *Suffolk*, is not in the Freemen of the ſaid Borough, commonly called Out-fitters, as well as in the Freemen inhabiting within the ſaid Borough.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the ſaid Borough of *Dunwich* in the County of *Suffolk*, is only in the Freemen inhabiting within the ſaid Borough.

28.

Lunæ, 25 die Novembris, 1695.

Resolved, That the Right of Election of Burgeſſes to ſerve in this preſent Parliament for the Borough of *Dunwich* in the County of *Suffolk*, is in the Freemen of the ſaid Borough, commonly called Out-fitters, as well as in the Freemen inhabiting within the ſaid Borough.

29.

Lunæ, 7 die Aprilis, 1679.

Resolved, That the Borough of *East-Grinſtead* in the County of *Suffex*, is an ancient Borough by Preſcription.

a 3

Resolved,

Resolved, That the Inhabitants, as well as the Burgage-holders of the said Borough, have Right to Vote in Elections of Members to serve in Parliament for the said Borough.

30.

Jovis, 9 die Februarii, 1695.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Borough of *East Grinstead*, is not in the Burgage-holders and Inhabitants of the said Borough.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the said Borough is in the Burgage-holders only.

* 30.

Jovis, 9 die Februarii, 1698.

The Right of Election for the Borough of *Haslemere, in Com. Surrey*, was agreed to be in the Freeholders resident within the Borough.

31.

Mercurii, 30 die Aprilis, 1690.

For the County of *Heriford*.

Resolved, That Quakers having a Freehold

hold and refusing to take the Oath when
tendred by the Sheriff, are incapable of
giving their Votes for Knights of the Shire
for that Reason.

This is alter'd by Stat. 1 G. 1. Sess. 1. c. 7.

Jovis, 16 die Januarii, 1695.

Hertford County.

Resolved, That Evidence ought not to
be admitted to disqualify an Elector as no
Freeholder, who at the Election swore
himself to be a Freeholder.

32.

Veneris, 30 die Januarii, 1698.

Resolved, That the Right of Election
of Members of Parliament for the Port of
Hastings in the County of *Suffex*, is in the
Mayor, Jurats and Freemen resident, and
not receiving Alms, only.

33.

Martis, 1 die Aprilis, 1679.

A double Return for *Ilchester* (in Com:
Somerset)

First an Indenture between the High
Sheriff of *Somerset* on one Part, and Sir
Edward Philips, Knight, and eight other
Capital Burgeses of the other Part, wit-
nessing,

nessing, that they had chosen *Edward Philips* and *Robert Hunt*, Esqs; in witness whereof the said Burgessees had put their common Seal.

A broad Seal affixed accordingly, and several Hands subscribed, but the Bailiff is not a Party, nor subscribed nor sealed it.

Secondly, An Indenture between said Sheriff of one Part, and the Bailiff and Burgessees of the other Part, witnessing, that &c. they had chosen *William Strode* and *John Speake*, Esqs; in witness whereof the said Bailiff or his Deputy, together with the Burgessees have put their Hands and Seals; there was only one Seal affixed, and over it *Thomas Hollyard* Bailiff. On the same Indenture *John Lockyer*, *George Slade*, and on the Back, many Witnesses, &c.

Resolved, That the Indenture wherein *William Strode*, Esq; and *John Speake*, Esq; are returned Burgessees to serve in this present Parliament for the Borough of *Ilchester* in the County of *Somerset*, is well and duly returned, and by the proper Officer, and that thereupon they ought to sit as duly returned to serve in this present Parliament for the said Borough.

34.

Jovis, 14 die Decembris, 1699.

Resolved, That the Petition of several Inhabitants within the said Borough, (*St. Ives in Com. Cornub.*) presented to the House of Commons this Sessions of Parliament, touching the late Election for the said Borough, is not the same in Substance with the Petition from several Inhabitants of the said Borough, presented to the House of Commons the last Session of Parliament, relating to the said Election.

Ordered, That the Committee of, &c. do not proceed any further upon the Petition touching the said Election,

35.

Veneris, 11 die Januarii, 1694.

Resolved, That *Jasper Mawdit*, Esq; is duly elected a Burgess to serve in this present Parliament, for the Borough of *Liverpool* in the County of *Lancaster*.

Resolved, That *Mr. Alexander Norris*, Mayor of the Borough of *Liverpool* in the County of *Lancaster*, having taken upon him to Judge, that *Jasper Mawdit*, Esq; being Coroner of the said Borough, was un-

uncapable to be elected a Burgeſſ to ſerve in Parliament (altho' duly choſen) and having made a falſe Return of *Thomas Brotherton*, Eſq; to ſerve as a Burgeſſ for the ſaid Borough, hath therein violated the Rights of the Commons of *England*, and broken the Privileges of this Houſe.

Resolved, That the ſaid *Alexander Norris*, for the ſaid Miſdemeanor, be ſent for in Cuſtody of the Serjeant at Arms attending this Houſe.

36.

Sabbati, 11 die Februarii, 1698.

Resolved, That the Right of electing Members to ſerve in Parliament for the Borough of *Ludgershall*, in the County of *Wilts*, is in ſuch Perſons who have an Eſtate of Inheritance, or Freehold, or Leaſehold, determinable upon Life, or Lives, within the Borough,

37.

Lunæ, 22 die Decembris, 1690.

Resolved, That the New Charter, granted to the Town of *Ludlow*, by the late King *James*, whereby the antient Method of electing Burgeſſes for Parliament is altered, is illegal and void.

38. *Martis,*

38.

Mercurii, 1 die Martii, 1698.

Resolved, That the Sons of Burgeſſes of *Ludlow*, and thoſe that marry the Daughters of Burgeſſes, have a Right to be made Burgeſſes of the ſaid Borough.

Resolved, That every Perſon having a Right to be made a Burgeſſ of the Borough of *Ludlow*, ought to demand ſuch his Right by Petition, ſigned by the Petitioner according to the By-Law made in the Year 1663, and not otherwiſe.

39.

Martis, 29 die Decembris 1691.

Resolved, That the Corporation of *Lymington* (in *Com. Southampton*) is a Corporation by Preſcription.

Resolved, That the Mayor and Burgeſſes of *Lymington* only have the Right to elect Burgeſſes to ſerve in Parliament for that Borough.

40.

Martis, 18 die Februarii, 1695.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the
Borough

Borough of *Lymington*, is not in the Mayor, Burgesſes, and Commonalty of the ſaid Borough, paying Scot and Lot.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the ſaid Borough of *Lymington*, is only in the Mayor, and Burgeſſes of *Lymington*, excluſive of the Commonalty, paying Scot and Lot.

41.

Veneris, 21 die Novembris, 1699.

Resolved, That in the Borough of *Great-Marlow* in the County of *Bucks*, thoſe Inhabitants only which pay Scot and Lot, have a Right to give Voices in the Election of Burgeſſes to ſerve in Parliament for the ſaid Borough.

42.

Jovis, 12 die Decembris, 1689.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the ſaid Borough (*Mitchell in Com. Cornub.*) is in the Lords of the Borough, who are liable to be choſen Port-Reves thereof, and in the Houſholders of the ſame not receiving Alms.

Mercurii,

Mercurii, 12 die Novembris, 1690.

The same Resolution agreed by both Parties.

43.

Lunæ, 9 die Martii, 1694.

Resolved, That the Right of electing Burgeses to serve in Parliament for the Borough of *Morpeth*, (in *Com. Northumberland*) is only in the Bailiffs and Free Burgeses of the said Borough.

44.

Martis, 1 die Aprilis, 1679.

Double Return for the Borough of *Montgomery*.

One Indenture between the Sheriff of the County of one Part, and——*Whittingham* and *Roger Jones* Bailiff and many Burgeses of the other Part, wherein Mr. *Matthew Price* is returned. Signed by both Bailiffs, and many Burgeses, and a large Seal against the Bailiffs Names, and a Seal to each of the Burgeses Names.

Another between the Sheriffs of one Part and many Burgeses of the Borough of *Montgomery*, *Pool*, and *Kanvilling* of the other

B

Part,

Part, whereby *Mr. Edward Lloyd* is Returned. Sign'd by many Burgesſes, neither of the Bailiffs Hands nor any Seal at all.

Resolved, That the Indenture wherein *Matthew Price*, Esq; is returned to serve in this Parliament for the Borough of *Montgomery*, is well and duly Returned, and by the proper Officers, and that thereupon he ought to sit in this present Parliament, as well Returned for the said Borough of *Montgomery*.

45.

Jovis, 11 die Januarii, 1699.

Resolved, That the Mayor, Aldermen, and all the Inhabitants within the Borough of *Newark upon Trent*, (in *Com. Nottingham*) who pay, or ought to pay Scot and Lot within the said Borough, have a Right to Vote at the Election of Members to serve in Parliament for the said Borough.

46.

Lunæ, 11 die Novembris, 1678.

It appearing to the House, that the Precept from the Sheriff was directed to the Mayor and Justices for the Borough of *Northampton*, and that the Indenture annex'd to the Writ, whereby *Sir William Temple* is

is returned for the said Borough, is not signed by the Mayor, nor the Seal of the Corporation fix'd thereto. And that the Indenture whereby *Ralph Montague*, Esq; is returned, is signed by the Mayor and the Seal of the Corporation fix'd thereto, and that the same is annex'd to the Precept of the Sheriff.

Resolved, Nemine Contradicente, That the Indenture annexed to the Writ, whereby *Sir Richard Temple* is returned to serve as a Burgess for the said Borough of *Northampton*, is not a sufficient Return.

Resolved, Nemine Contradicente, that the Indenture signed by the Mayor of *Northampton*, and sealed with the common Seal of the Corporation, and which is annex'd to the Sheriff's Precept, whereby *Ralph Montague*, Esq; is returned to serve for the said Borough, is a due Return, and ought to be annex'd to the Writ.

And the Sheriff was ordered to annex the same accordingly ; and.

Was ordered into Custody of the Serjeant at Arms.

47.

Sabbati, 9 die Martii, 1699.

A Petition of *Thomas Hawkfly* and *Roger Hunt*, Overseers for the Poor of *Nottingham*

B 2

bam

ham, was presented to the House and read, praying, that they may be relieved for their Charges in coming to Town, their Expences here, and returning home, being summoned to attend the Committee of Privileges and Elections by *George Gregory*, Esq; Petitioner against *Robert Sacheverel*, Esq;

Ordered, That the said Mr. *Gregory* do pay the Petitioners their reasonable Charges, to be settled by the Chairman of the said Committee.

48.

Sabbati, 10 die Februarii, 1699.

Resolved, That the Right of electing Burgeses to serve in Parliament for the said Borough (*Orford in Com. Suffolk*) is in the Mayor, Portmen, Capital Burgeses and Freemen of the said Borough.

49.

Lunæ, 14 die Aprilis, 1690.

Resolved, That the Charter granted by the late King *James*, to the Borough of *Plympton*, (*in Com. Devon*) is illegal and destructive to the Constitution of the Government.

50. *Vc-*

50.

Veneris, 24 die Januarii, 1695.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Portsmouth* (in Com. *Southampton*) is in the Mayor, Aldermen, and Burgeſſes, of the ſaid Borough only.

51.

Mercurii, 12 die Novembris, 1690.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *New-Radnor*, is in the Burgeſſes of *Radnor, Ryader, Knighton, Knucklas, and Kevenlice* only.

52.

Veneris, 31 die Octobris, 1690.

Resolved, That the Freemen of the Port of *Sandwich*, inhabiting within the ſaid Borough, (although they receive Alms) have a Right to Vote in electing Barons to ſerve in Parliament.

53.

Sabbati, 29 die Februarii, 1695.

Resolved, That the Right of electing Members to serve in Parliament for the Borough of Shaftsbury, (in Com. Dorset) is not only in the Mayor and Burgeses of the said Borough.

Resolved, That the Right of electing Members to serve in Parliament, for the said Borough of Shaftsbury, is only in the Inhabitants of the said Borough, paying Scot and Lot.

54.

Martis, 31 die Decembris, 1689.

Resolved, That the Right of Election of Burgeses to serve in Parliament (for the Town and County of the Town of Southampton) is in the Burgeses and Inhabitants of the said Town and County of the Town of Southampton.

55.

Martis, 17 die Martii, 1695.

Resolved, That the Outliving Burgeses, as well as the Burgeses Inhabitants, and

and other Inhabitants, paying Scot and Lot, have a Right to Vote for elected Members to serve in Parliament, for the said Town and County of the Town of *Southampton*.

56.

Veneris, 21 die Decembris, 1695.

Resolved, That Sir George Meggot having preferr'd to this House a groundless and vexatious Petition, relating to the Election of Members to serve in this present Parliament, for the said Borough (*Southwark* in *Surrey*) and having scandalized this House, in declaring, *That without being duly Chosen, he had Friends enow in the House, to bring him into this House*, be taken into the Custody of the Serjeant at Arms, attending this House.

Resolved, That Sir George Meggot do make Satisfaction to the Members of this House he petition'd against, for the Costs and Expences they have been put unto by reason of such Petitions.

57.

Veneris, 4 die Decembris, 1696.

Resolved, That Sir George Meggot, having prosecuted at Law *Thomas Maylin* and *John Ladd*, for what they testified at the Committee

mittee of Privileges and Elections, the last Sessions, upon the hearing the Matter touching the Election for the said Borough, is guilty of a Breach of the Privileges of this House.

Ordered, That Sir George Meggot be taken into Custody.

58.

Veneris, 15 die Novembris, 1689.

Upon special Report from the Committee of Privileges and Elections, of gross and notorious Bribery, at an Election for the Borough of Stockbridge, in Com. Southampton;

Resolved, That *W. Montague*, Esq; is not duly elected a Burgess to serve in this present Parliament for the said Borough of Stockbridge.

Resolved, That *W. Strobe*, Esq; is not duly elected a Burgess, &c.

Resolved, That the said Election is a void Election.

Ordered, That *Richard Hewes*, the Bailiff, *P. Robinson*,—Gatehouse, and *S. Hall*, be sent for into Custody of the Serjeant at Arms, for giving and taking Bribes at the said Election.

Resolved, That *W. Montague*, Esq; be disabled from being elected a Burgess to serve

serve in this present Parliament for the said Borough of *Stockbridge*.

And a Debate arising touching the disfranchising the said Borough for ever hereafter from sending Burgeſſes to Parliament, and that inſtead thereof, two more Knights of the Shire be choſen for the County of *Southampton*;

Resolved, That the Debate be adjourn'd till Monday Morning next, ten a Clock.

59.

Mercurii, 27 die Novembris, 1689.

A Petition of *R. Hewes. &c.* Inhabitants of *Stockbridge*, that they were ſorry they had incurred the Diſpleaſure of the Houſe by encouraging the giving Money, and by other Irregularities at the late Election there, which they had not been, but that they were ſo near Ruin by the late King's Army continually quartering upon them, and praying the Conſideration of the Houſe, and to be diſcharged from their Confinements.

The Petitioners being called in and ſeverely reproved by *Mr. Speaker* for their Offences, were diſcharged, paying their Fees.

60. *Mer-*

Mercurii, 20 die Decembris, 1693.

Resolved, That the said Election for the said Borough of *Stockbridge*, is a corrupt and a void Election.

Resolved, That a Bill be brought in for disabling the said Borough of *Stockbridge*, to send Burgesses to serve in Parliament for the future.

And the said Bill was brought in, the same Session, and read a first and second time, and committed;

And the two Petitions from the Bailiffs, &c. of the said Borough rejected.

And the Bill engrossed and read a third time, but on the Question, that the Bill do pass,

It passed in the Negative.

Jovis, 16 die Januarii, 1695.

On a Petition for the County of Surrey.

Resolved, That Evidence ought not to be admitted to disqualify an Elector as no Freeholder, who at the Election swore himself to be a Freeholder.

62.

Veneris, 13 die Martii, 1695.

Resolved, That the Right of electing Burgesses to serve in Parliament for the Borough of *Tavistock*, (in *Com. Devon.*) is in the Freeholders of Inheritance in Possession, inhabiting within the said Borough.

63.

Jovis, 4 die Februarii, 1696.

Resolved, That the Right of electing Burgesses to serve in Parliament for the said Borough of *Tavistock*, is in the Freeholders of Inheritance in Possession, inhabiting within the said Borough, who have been or shall be presented as such, by the Jury of Enquiry of the said Borough.

64.

Mercurii, 17 die Junii, 1685.

Resolved, That the Right of Election for the Borough of *Thetford* (in *Com. Norfolk*) is in the Mayor, Burgesses (which are ten) in the Commonalty or Common Council (which are twenty) amounting in the whole to thirty one.

Sab-

Sabbati, 3 die Maii, 1690.

Resolved, That the Charter of the 10th of Queen *Elizabeth*, granted to the Borough of *Thetford*, is not duly nor legally surrendered.

65.

Mercurii, 4 die Martii, 1695.

Resolved, That the Persons made Free by the late King *James's* Charter, to the said Borough of *Totness*, (in *Com. Devon*) have no Right to Vote in electing of Members to serve in Parliament for the said Borough, by virtue of such Freedom.

Resolved, That the Right of electing Burgeſſes to serve in Parliament for the said Borough of *Totness*, is in the Freemen not inhabiting, as well as in the Freemen inhabiting within the said Borough.

Resolved, That Sir *Richard Gipps*, having preferred to the House a frivolous, vexatious, and groundless Petition, relating to the Election of Members to serve for the said Borough of *Totness*, be taken into Custody of the Serjeant at Arms.

Resolved, That Sir *Richard Gipps* do make Satisfaction to the Members of this House he petition'd against, for the Costs and Expences

Expences they have been put unto, by reason of such Petition.

66.

Sabbati, 3 die Maii, 4 C. 1. 1628.

Resolved, That the Right of Election for the Town of *Warwick*, is in the Commonalty of the said Town.

67.

Martis, 18 die Februarii, 1695.

Resolved, That the Right of electing Citizens to serve in Parliament for the City of *Wells*, is only in the Mayor, Masters and Burgeses of the said City.

68.

Jovis, 22 die Decembris, 1698.

On a Hearing for Westminster.

Resolved, Nemine Contradicente, That no *Alien*, not being a *Denizen*, or naturalized, hath any Right to vote in Elections of Members to serve in Parliament.

69.

Sabbati, 5 die Aprilis, 1697.

Resolved, That the Mayor, Bailiffs, and Burgeses of *New-Windsor*, have not the Right of electing Members to serve in Parliament for the said Borough.

C

Re-

Resolved, That the Borough of *New-Windsor* hath a Right to send Burgesſes to Parliament by Preſcription.

Resolved, That all the Inhabitants of the ſaid Borough have the Right of electing Members to ſerve in Parliament for the ſaid Borough.

70.

Sabbati, 17 die Maii, 1690.

Resolved, *As the Opinion of the Committee*, That the Right of electing Burgeſſes to ſerve in Parliament for the Borough of *New-Windsor*, is in the Mayor, Bailiffs, and ſelect Burgeſſes only.

The Queſtion being put, that the Houſe do agree with the Committee in the ſaid Reſolution,

It paſſed in the Negative.

71.

Martis, 27 die Januarii, 1701.

Resolved, That the Right of electing Members to ſerve in Parliament for the Borough of *Hertford*, is not in ſuch Perſons only as are Inhabitants, Houſholders, of the ſaid Borough not receiving Alms, and in ſuch Freeman, who, at the Time of their Freedom granted to them, were Inhabitants of the ſaid Borough, or of the Pariſhes thereof.

Re-

Resolved, That the Right of Electing Members to serve in Parliament for the Borough of *Hertford*, is in all the Freemen, and also in all the Inhabitants, being Household-ers, and not receiving Alms.

72.

Sabbati, 7 die Februarii, 1701.

Resolved, That *Thomas Colepeper*, Esq; who was one of the Instruments in promoting and presenting the scandalous, insolent, and seditious Petition, commonly called, *the Kentish Petition*, to the last House of Commons, hath been guilty of corrupt, scandalous, and indirect Practices, in endeavouring to procure himself to be elected a Burgess to serve in this present Parliament for the Borough of *Maidstone*.

There is another Resolution, That he is guilty of aspersing the last House of Commons.

Ordered, That the said *Thomas Colepeper*, Esq; be, for his said Offence, committed to *Newgate*.

73.

Martis, 24 die Februarii, 1701.

Resolved, That the Freemen of *Coventry* receiving Alms or Charity, have no Right to Vote in the Election of Citizens to serve in Parliament for the City of *Coventry*.

Resolved, That Mr. *Abraham Owen*, one of the Sheriffs of the City of *Coventry*, is guilty of a false and double Return, and of divers indirect Practices in the late Election for the City of *Coventry*.

The like Resolution passed against Mr. John Collins, the other Sheriff of Coventry; and they both were ordered into Custody; as was also their Under-Sheriff, &c.

74.

Jovis, 12 die Martii, 1701.

Resolved, That the Right of Electing Citizens to serve in Parliament for the City of *Norwich*, is in the Freeholders, and such Freemen only of the said City, as are entred in the Books, and do not receive Alms or Charity.

75.

Resolved, That such Persons as had a Right to their Freedom in the City of *Norwich*, before the Test of the Writ, and took out their Freedom after the said Test, not having demanded the same before the said Test, had not a Right to Vote in the last Election of Citizens to serve in this present Parliament for the said City.

76.

Martis, 17 die Martii, 1701.

Resolved, That the younger Sons of Free-

Freemen of the Borough of *East-Retford*, (in *Com. Nottingham*) have not a Right to demand their Freedom of the said Borough.

77.

See above Numb. 73.

Sabbati, 28 die Martii, 1702.

The Serjeant at Arms being called upon to give the House an Account of what he had done in relation to the apprehending of the Persons at *Coventry*, ordered to be taken into Custody, he acquainted the House, that he having sent his Messenger with a Warrant to *Coventry*, he was informed that some Person had gone Post before his Messenger, and given them notice (though he got thither by the next Day at Noon) upon which they fled and absconded: and that his Messenger having taken one *Edward Bosworth* (of the City of *Coventry*) to his Assistance, the said *Bosworth* was threatened for what he did, by Mr. *Edward Owen*, Alderman of the said City; and that the said *Bosworth* attended, to give the House an account thereof.

And the said *Bosworth* was called in, and examined.

Resolved, That Mr. *Edward Owen* (Alderman of *Coventry*) is guilty of a Breach of the Privilege of this House, and Contempt

against the same, by using threatenng Language against the Person that assisted the Serjeant in Execution of the Orders of this House.

Ordered, That the said Mr. *Edward Owen* be, for his said Crime, taken into Custody.

The Serjeant being called upon to give the House an Account of what he had done in Execution of the Order for the apprehending of *Thomas Colepeper*, Esq; he acquainted the House, that diligent Search had been made after him, but that he was fled or absconded.

Resolved, That *Thomas Colepeper*, Esq; having been guilty of many scandalous and indirect Practices, and in Contempt of the Justice of this House, hath absconded, that an humble Address be presented to her Majesty, that she will be pleased to issue forth her Royal Proclamation for apprehending the said Mr. *Colepeper*. See Numb. 72.

Resolved, That Mr. *Abraham Owen*, one of the Sheriffs of the City of *Coventry*, having been guilty of a false and double Return for the City of *Coventry*, and divers indirect Practices, and in Contempt of the Justice of this House, having absconded, that an humble Address be presented to her Majesty, that she will be pleased to issue forth her Royal Proclamation for apprehending the said Mr. *Owen*.

The like Resolutions were passed touching the other Sheriff of Coventry, and the Under-Sheriff, severally.

Ordered, That the said Addressees be presented to her Majesty by such Members of this House as are of her Majesty's most honourable Privy-Council.

78.

Veneris, 6 die Novembris, 1702.

Mr. *Burnell*, the High Sheriff of the County of *Nottingham*, and Mr. *Simon Jackson*, his Under-Sheriff, attending, (according to Order) the High-Sheriff was called in, and examined, touching the not making a Return of the Writ for the Electing the Members to serve in this present Parliament for the said County; and he acquainted the House, that he did not meddle with the Execution or Return of the said Writ, nor ever had it in his Possession; but left it wholly to his Under-Sheriff; and then he withdrew.

Afterwards the Under-Sheriff was called in, and examined; and then he withdrew.

Ordered, That Mr. *Burnell*, the High-Sheriff of the County of *Nottingham*, be discharged out of Custody.

Ordered, That Mr. *Simon Jackson*, Under-Sheriff of the County of *Nottingham*,
for

for keeping back the Return of the Writ for choosing of the Members of the said County, be taken into Custody.

79.

Martis, 10 die Novembris, 1702.

Mr. *Edward Holland*, the High-Sheriff of the County of *Merioneth* was, (according to Order) brought to the Bar, and examined touching his not making the Return of the Writ for the Electing of a Knight for the said County. And he acquainted the House, that it was a Surprise to him to find it was not returned; he having executed the Writ, and made the Return, and delivered it to his Under-Sheriff to bring up, who brought the same up with him.

And then he withdrew.

And Mr. *Robert Nanny*, the Under-Sheriff, attending, he was called in, and examined; who acquainted the House, that there being but one Member to be returned, he being a young Man, kept the Writ and Return by him, designing to send it up by the Member; but that he did not come up, in regard his Lady was ill.

And then he withdrew.

Ordered, That the said Mr. *Holland* be discharged out of the Custody of the Serjeant at Arms.

Then

Then a Motion being made, and the Question being put, that Mr. *Robert Nanny*, the Under-Sheriff of the County of *Merioneth*, for neglecting to return the Writ for Electing the Member for the said County, be taken into Custody,

It passed in the Negative.

80.

Martis, 10 die Novembris, 1702.

Resolved, That there was a great Tumult and Riot at the Election of Burgesses to serve in Parliament for the Borough of *Southwark* in the County of *Surrey*.

81.

Resolved, That the said Tumult and Riot was committed by the Servants and Agents of *Charles Cox*, and *John Cholmley*, Esqs;

82.

Resolved, That the Right of electing Burgesses to serve in Parliament for the Borough of *Southwark* in the County of *Surrey*, is only in the Inhabitants thereof, paying Scot and Lot.

83.

Resolved, That *Charles Cox*, Esq; is not duly elected a Burgess to serve in Parliament for the said Borough of *Southwark*.

84.

84.

Resolved, That *John Cholmley*, Esq; is not duly elected a Burgess to serve in Parliament for the said Borough of *Southwark*.

85.

Resolved, That the late Election of Burgesses to serve in Parliament for the said Borough of *Southwark* is a void Election.

Ordered, That *Mr. Speaker* do issue his Warrant to the Clerk of the Crown to make out a new Writ, for the electing two Burgesses to serve in this present Parliament for the said Borough of *Southwark*, in the room of the said *Charles Cox*, Esq; and *John Cholmley*, Esq; whose Elections are declared to be void.

86.

Sabbati, 24 die *Octobris*, 1702.

The House being informed, that *George Morley*, Esq; a Member of this House, hath been guilty of Bribery, in relation to his Election for the Borough of *Hindon* in the County of *Wilts*; and he not being in the House;

Ordered, That the said *Mr. Morley* do attend in his Place upon *Tuesday* Morning next.

87.

Mercurii, 18 die *Novembris*, 1702.

Resolved, *Nemine Contradicente*, That Sir
John

John Packington has, by Evidence, fully made out the Charge which he exhibited against the Lord Bishop of *Worcester*.

Resolved, *Nemine Contradicente*, That Sir *John Packington* has, by Evidence, fully made out the Charge against Mr. *Lloyd*, the said Lord Bishop's Son.

Resolved, That it appears to this House, that the Proceedings of *William* Lord Bishop of *Worcester*, his Son and his Agents, in order to the hindering the Election of a Member for the County of *Worcester*, have been malicious, unchristian, and arbitrary, in high Violation of the Liberties and Privileges of the Commons of *England*.

88.

Resolved, That an humble Address be presented to her Majesty, that she will be graciously pleased to remove *William* Lord Bishop of *Worcester*, from being Lord Almoner to her Majesty.

Ordered, That the said Resolution and Address be presented to her Majesty, by such Members of this House as are of her Majesty's most honourable Privy-Council.

89.

Ordered, That Mr. *Attorney-General* do prosecute Mr. *Lloyd*, the Lord Bishop of *Worcester's* Son, for his said Offences, after his

his Privilege as a Member of the Lower House of Convocation is out.

90.

Veneris, 20 die Novembris, 1702.

Mr. *Comptroller* reported to the House, that their Resolution and Address to her Majesty for the removing *William* Lord Bishop of *Worcester* from being Lord Almoner to her Majesty, had been presented to her Majesty; and that her Majesty was pleased to give this most gracious Answer:

I am very sorry that there is occasion for this Address against the Bishop of Worcester; I shall order and direct, that he shall no longer continue to supply the place of Almoner, but I will put another in his room to perform that Office.

91.

Sabbati, 21 die Novembris, 1702.

Resolved, That the Agents of Sir *Isaac Rebow* have been guilty of treating and other corrupt Practices, in order to procure the said Sir *Isaac Rebow* to be elected a Burgess to serve in Parliament for the Borough of *Colchester* in the County of *Essex*.

Resolved, That Sir *Isaac Rebow* is not ully elected a Burgess to serve in Parliament

ment for the said Borough of *Colchester*.

Resolved, That *Sir Thomas Cook* is duly elected a Burgess to serve in Parliament for the Borough of *Colchester* in the County of *Essex*.

Resolved, That *John Potter Esq;* is not duly elected a Burgess to serve in Parliament for the said Borough of *Colchester*.

92.

Resolved, That the Charge of *Sir Isaac Rebow* against *Sir Thomas Cook*, a Member of this House, for Bribery, is false and groundless.

93.

Ordered, That *John Weely*, Agent for *Sir Isaac Rebow*, for his corrupt Practices in endeavouring to procure the said *Sir Isaac Rebow* to be elected a Burgess for the said Borough of *Colchester*, be taken into Custody.

94.

Sabbati, 21 die Novembris, 1702.

Resolved, That Persons coming by Certificate to live in the Borough of *Wendover*, have not thereby a Right to vote for the Election of Members to serve in Parliament for the said Borough.

95.

Sabbati, 21 die Novembris, 1702.

Resolved, That the Petition of several of the free Burgeſſes of the Corporation of *Colcheſter*, againſt Sir *Thomas Cook*, a Member of this Houſe, is falſe and ſcandalous.

And ſeven Perſons by Name (who were the Petitioners) were ſeverally ordered into Cuſtody.

96.

Mercurii, 25 die Novembris, 1702.

Ordered, That the Evidence given at the Bar of this Houſe, upon the Charge of Sir *John Packington* againſt *William Lord Biſhop of Worceſter* and *Mr. Lloyd* his Son, be printed ; together with the Proceedings of this Houſe thereupon.

Ordered, That the Clerk's Book in relation to the ſaid Evidence be examined; and that *Mr. Speaker* do take care of the Printing of the ſaid Evidence and Proceedings.

97.

Veneris, 27 die Novembris, 1702.

The Houſe proceeded to the hearing of the Matter of the Charge of *Thomrs Jerwoiſe, Eſq;* againſt *George Morley, Eſq;* and of the Petition touching the Election for the Borough of *Hindon* in the County of *Wils*——

And

And the Question being put, that *George Morley Esq;* is duly elected a Burgess to serve in this present Parliament for the Borough of *Hindon* in the County of *Wils;*

It passed in the Negative.

98.

Ordered, That Leave be given to bring in a Bill for the Disfranchising the Borough of *Hindon* in the County of *Wils*, from electing Members to serve in Parliament; and that *Mr. Harley*, the Lord *Mordaunt*, and *Mr. Scobel*, do prepare and bring in the same.

99.

Sabbati, 28 die Novembris, 1702.

Resolved, That the Election of any Person to be a Burgess of *Wilton* in the County of *Wils*, who has not taken the Sacrament of the Lord's Supper, according to the Rites of the Church of *England*, within one Year before such Election, is a void Election.

100.

Sabbati, 28 die Novembris, 1702.

Resolved, That Persons not inhabiting in the Borough of *East-Retford* in the
D 2 County

County of Nottingham, are incapable of being made free of the said Borough by Redemption.

101.

Resolved, That all the Sons of Free-men of the Borough of *East-Retford*, have a Right to the Freedom of the said Borough.

102.

Martis, 1 die Decembris, 1702.

Resolved, That the Tenants of Bur-gage-Houses, by Lease for Years absolute, have a Right to vote in the Election of Members to serve in Parliament for the Borough of *Westbury* in the County of *Wilts.*

103.

Martis, 1 die Decembris, 1702.

The House being informed, that there is a new Writ issued only to the Sheriff of the County of *Stafford* for the electing a Burgess to serve in Parliament for the Borough of *Tamworth*, whereas the Borough is also within the County of *Warwick*;

Ordered, That the Clerk of the Crown do make out a *Supersedeas* to the Writ by

by him lately made out, and directed to the Sheriff of the County of *Stafford* only; and that Mr. *Speaker* do issue his Warrant to the Clerk of the Crown to make out a Writ directed to the Sheriff of the County of *Warwick*, and another Writ directed to the Sheriff of the County of *Stafford*, for the electing a Burgess to serve in this present Parliament for the said Borough of *Tamworth*.

104.

Martis, 8 die Decembris, 1702.

Resolved, That the late Election of Burgesses for the said Borough of *Maidston*, is a void Election.

Resolved, That no Warrant do issue, during this Session of Parliament, for the making out a new Writ for the electing Burgesses for the said Borough of *Maidston*.

105.

Resolved, That *Gervas Hely* is guilty of indirect and corrupt Practices, in order to the procuring Members to be elected to serve in Parliament for the said Borough of *Maidston*.

D 3

Ordered,

Ordered, That the said *Gervas Hely*, be, for his said Offence, taken into Custody.

106.

Martis, 8 die Decembris, 1702.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *St. Ives* in the County of *Cornwall*, is in the Inhabitants of the ſaid Borough, paying Scot and Lot.

Resolved, That Mr. *John Hicks*, Mayor of the ſaid Borough of *St. Ives* is guilty of making a falſe Return of a Member to ſerve in Parliament for the ſaid Borough of *St. Ives*, contrary to the laſt determination in Parliament.

Ordered, That the ſaid Mr. *John Hicks*, be, for his ſaid Offence, taken into the Cuſtody of the Serjeant at Arms attending this Houſe.

107.

Martis, 8 die Decembris, 1702.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Milborn-Port* in the County of *Somerſet*, is only in the Capital Bailiffs

liffs and their Deputies, in the Commonalty, Stewards, and the Inhabitants thereof, paying Scot and Lot.

108.

Sabbati, 19 die Decembris, 1702.

Resolved, That the Right of Election of Barons to serve in Parliament for the Port of *Rye*, is only in the Mayor, Jurats, and in the Freemen inhabiting in the said Port, and paying Scot and Lot.

109.

Martis, 19 die Januarii, 1702.

Resolved, That the Sons of Freemen, born after their Fathers were made Free, and those that have served Apprenticeships in the Borough of *Sudbury*, in the County of *Suffolk*, have a Right to Vote in the Election of Members to serve in Parliament for the said Borough, without any Admission in form to their Freedom, or taking the Oath of Freemen.

Resolved, That it appears to this House, that *Benjamin Carter*, late Mayor of the Borough of *Sudbury*, in the County of *Suffolk*, was, at the last Election of Burgeses

to serve in Parliament for the said Borough, guilty of great Violence and many indirect Practices, contrary to the Right and Privileges of this House.

Ordered, That the said *Benjamin Carter*, be, for his said Offences, taken into the Custody of the Serjeant at Arms attending this House.

III.

Martis, 19 die Januarii, 1702.

Resolved, That the Right of electing Burgesses to serve in Parliament for the Borough of *Tavistock* in the County of *Devon*, is in the Freeholders of Inheritance in Possession, inhabiting within the Borough.

III.

Jovis, 28 die Januarii, 1702.

Resolved, That the Right of electing a Burgess to serve in Parliament for the Borough of *Higbam-Ferrers* in the County of *Northampton*, is in the Mayor, Aldermen, Burgesses and Freemen, being Householders, and not receiving Alms.

III. *Jovis,*

112.

Jovis, 28 die Januarii, 1702.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Andover* in the County of *Southampton*, is in the Bailiff and ſelect Number of Burgeſſes only.

113.

Jovis, 28 die Januarii, 1702.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the Borough of *Plympton* in the County of *Devon*, is in the Mayor, Bailiff, and Freemen of the ſaid Borough, and in the Sons of Freemen, who have a Right to demand their Freedom, and have been reſuſed the ſame.

Resolved, That the Proceeding of the Mayor and Corporation of the Borough of *Plympton* in the County of *Devon*, in making Freemen after the Death of his late Maſteſty, to Vote at the laſt Election, was illegal, and contrary to the Rights of the ſaid Corporation, and that thoſe Freemen then pretended to be made have not thereby obtained any Right to Vote on that Account in any future Elections.

114. *Lunc,*

Lunæ, 6 die Decembris, 1703.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Sudbury* in the County of *Suffolk*, is only in the Sons of Freemen born after their Fathers were made Free, and in ſuch as have ſerved ſeven Years Apprentiſhip, or are made Freemen by Redemption.

Mercurii, 26 die Januarii, 1703.

Mr. *Freeman* (according to Order) reported from the Committee of the whole Houſe to whom it was referred, to conſider of the Report of the Journals of the Houſe of Lords, touching the Caſe of *Aſhby* and *White*, and the Caſe of *Barnardſton* and *Soames*; the Reſolutions which they had directed him to report to the Houſe, which he read in his Place, and afterwards deliver'd in at the Table, where the ſame were read, and (with an Amendment to one of them) agreed unto by the Houſe, and are as follow.

116.

Resolved, That according to the known Laws and Usage of Parliament, it is the sole Right of the Commons of *England*, in Parliament assembled (except in Cases otherwise provided for by Act of Parliament) to examine and determine all Matters relating to the Right of Election of their own Members.

117.

Resolved, That according to the known Law and Usage of Parliament, neither the Qualification of any Elector, nor the Right of any Person elected, is Cognizable or Determinable elsewhere than before the Commons of *England* in Parliament assembled, except in such Cases as are specially provided for by Act of Parliament.

118.

Resolved, That the Examining and Determining the Qualification, or Right of any Elector, or any Person elected to serve in Parliament, in any Court of Law, or elsewhere, than before the Commons of *England* in Parliament assembled, (except in such Cases as are specially provided for by Act of Parliament) will expose all Mayors, Bailiffs and other Officers, who are obliged to take the Poll, and make a Return thereupon,

upon, to multiplicity of Actions, vexatious Suits and insupportable Expences, and will subject them to different and independent Jurisdictions and inconsistent Determinations in the same Case without Relief.

119.

Resolved, That *Matthew Ashby* having in Contempt of the Jurisdiction of this House, commenced and prosecuted an Action at Common-Law against *William White*, and others, the Constables of *Aylesbury*, for not receiving his Vote at an Election of Burgesses to serve in Parliament, for the said Borough of *Aylesbury*, is guilty of a Breach of the Privilege of this House.

120.

Resolved, That whoever shall presume to commence or prosecute any Action, Indictment, or Information, which shall bring the Right of the Electors or Persons elected to serve in Parliament to the Determination of any other Jurisdiction than that of the House of Commons (except in Cases specially provided for by Act of Parliament) such Person and Persons, and all Attorneys, Solicitors, Counsellors and Serjeants at Law, soliciting, prosecuting or pleading in any such Case, are guilty of a high Breach of the Privilege of this House.

121. *Sab-*

121.

Sabbati, 24 die Novembris, 1705.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament, for the Borough of *St. Albans*, in the County of *Hertford*, is in the Mayor, Aldermen, and ſuch Freemen only, as have a Right to Freedom by Birth or Service, or have it by Redemption, in order to trade, or inhabit within the ſaid Borough, and in the Houſholders paying Scot and Lot.

122.

Sabbati, 1 die Decembris, 1705.

Resolved, That the Right of electing Burgesses to serve in Parliament, for the Borough of *Agmondisham* in the County of *Bucks*, is in the Inhabitants paying Scot and Lot only.

123.

Jovis, 6 die Decembris, 1705.

Resolved, That the Right of electing
Burgeſſes to ſerve in Parliament, for the
E Borough

Borough of *Hertford*, is in the Inhabitants not receiving Alms, and in such Freemen only as, at the Time of their being made free, were Inhabitants of the said Borough, or the Parishes thereof; the Number of the Freemen living out of the Borough, not exceeding three Persons.

[*See the Votes of the Day following, where this Resolution is thus printed.*]

124.

Jovis, 6 die Decembris, 1705.

Resolved, That *William Blyth*, Esq; late Mayor of the City of *Norwich*, by printing and publishing a pretended *By-law* made in the Year 1640, contrary to *Magna Charta*, in order to terrify the Electors of the said City from free and impartial voting in the late Election of Members to serve in Parliament for the said City, is guilty of an illegal and arbitrary Proceeding.

Ordered, That the said *William Blyth* be, for his said Offence, taken into the Custody of the Serjeant at Arms attending this House.

125. *Jovis,*

125.

Jovis, 17 die Januarii, 1705.

Resolved, That the Right of electing Bur-
gesses to serve in Parliament, for the Bo-
rough of *East-Retford* in the County of
Nottingham, is in such Freemen only, as
have a Right to their Freedom by Birth, as
eldest Sons of Freemen, or by serving seven
Years Apprenticeship, or have it by Re-
demption, whether inhabiting, or not inha-
biting in the said Borough at the Time of
their being made free.

126.

*Veneris, 8 die Februarii, 1705.**Borough of Leicester.*

Resolved, That any Person, having a
Right to vote for two Members to serve in
Parliament, who hath given a single Voice,
hath not a Right to come afterwards and
give a second Voice during the said Elec-
tion.

Resolved, That such Freemen, as were
made free at the Charge of any of the
Candidates, had not a Right to vote at

the last Election of Burgesſes to ſerve in Parliament for the Borough of *Leiceſter*.

Reſolved, That Perſons living in the Borough of *Leiceſter* by Certificate, not having gain'd a Settlement by renting ten Pounds a Year, or ſerving in an annual Office, are not intitled, by paying Scot and Lot, to vote in the Election of Burgesſes to ſerve in Parliament for the ſaid Borough.

127.

Lunæ, 27 die Januarii, 1706.

Reſolved, That the Right of Election of Citizens to ſerve in Parliament for the City of *Bath*, in the County of *Somerſet*, is in the Mayor, Aldermen and Common-Council only.

128.

Mercurii, 5 die Februarii, 1706.

Reſolved, That the late Election of Citizens to ſerve in Parliament for the City of *Coventry*, is a void Election.

Reſolved, That it appears to this Houſe, that there hath been a notorious Riot and Tumult, and other illegal Practices
at

at the Election of Citizens to serve in this present Parliament for the City of *Coven-try*, in Contempt of the civil Authority, and in Violation of the Freedom of Elections.

129.

Veneris, 4 die Aprilis, 1707.

Resolved, Nemine Contradicente, That when any Person ordered to be taken into the Custody of the Serjeant at Arms, shall either abscond from Justice, or having been in Custody shall refuse to pay the just Fees, That in either of those Cases the Order for Commitment shall be renewed the Beginning of the next Session of Parliament; and that this be declared to be a standing Order of the House.

130.

Mercurii, 18 die Februarii, 1707.

Resolved, Nemine Contradicente, That all Matters that shall come in Question, touching Returns or Elections, shall be heard at the Bar of the House.

This repeated the following Session.

E 3

Resolved,

Resolved, That all Questions at the Trial of Elections, shall, if any Member insist upon it, be determined by Ballot.

Resolved, That all Petitions upon every new Parliament, relating to Elections and Returns, be deliver'd to the Clerk of the House, and be laid by him upon the Table, before the *Speaker* be chosen.

Ordered, That the said Resolutions be standing Orders of the House.

131.

Sabbati, 21 die Februarii, 1707.

Mr. *Benson* reported from the Committee, appointed to consider of proper Methods for the more speedy and easy trying and determining of controverted Elections, and to whom it was referred to consider of a proper Method for Ballotting, and to report their Opinions therein to the House, that they had come to several Resolutions, which they had directed him to report to the House, and which he read in his Place, and afterwards deliver'd in at the Table, where the same were read and agreed unto by the House, and are as follow.

Resolved, That a Ballotting-Box and Balls be prepared.

Resolved,

Resolved, That two Clerks attend the Ballotting, one to deliver the Balls to the Members, the other to carry the Box.

Resolved, That two Members of the House be appointed by the *Speaker* to attend the Box.

Resolved, That each Member present his Hand bare and open to receive the Ball, and that he hold it up between his Finger and Thumb before he put his Hand into the Box, and that the Box be immediately after brought to the Table, and the Votes counted there by the Clerks in the Presence of the said two Members.

Resolved, That all Members sit in their Places till the Votes are given, and the Affirmative or Negative declared by the *Speaker*.

Ordered, That the said Resolutions be standing Orders of the House.

On the 15th of *November* 1709, the former Method of appointing a Committee of Elections was resumed, and see below N^o 292.

132.

Jovis, 26 die *Februarii*, 1707.

Resolved, That the Right of Election of Members to serve in Parliament for the Borough of *Ashburton*, in the County of *Devon*,

Devon, is in the Freeholders having Lands or Tenements holden of the said Borough only.

133.

Jovis, 2 die Decembris, 1708.

Resolved, That the Right of Electing Burgeses to serve in Parliament for the Borough of *Reading*, in the County of *Berks*, is in the Freemen and Inhabitants; such Freemen not receiving Alms, and such Inhabitants paying Scot and Lot.

134.

Sabbati, 4 die Decembris, 1708.

Resolved, That such Persons as have, within two Years last, received *Kendrick's* Charity, or any other annual Charity, distributed in the Borough of *Reading*, have not a Right to Vote in Elections of Burgeses to serve in Parliament for the said Borough.

135.

Jovis, 16 die Decembris, 1708.

Resolved, That Mr. *John Huggins*, High Bailiff of *Westminster*, at the late Election
of

of Citizens to serve in this present Parliament for the City of *Westminster*, has, in Defiance of the Law, arbitrarily and illegally refused to tender the Oath of Abjuration when required so to do, and thereby is guilty of a high Crime and Misdemeanour.

Ordered, That the said Mr. *Huggins* for his said Offence be committed to her Majesty's Prison of *Newgate*, and that Mr. *Speaker* do issue his Warrants for that Purpose.

136.

Martis, 21 die *Decembris*, 1708.

Resolved, That the Right of Electing Burgesses to serve in Parliament for the Borough of *Whitchurch*, in the County of *Southampton*, is in the Freeholders only of Lands or Tenements, in Right of themselves or their Wives, not split since the Act of the 7th and 8th Years of the Reign of King *William*.

137.

Martis, 18 die *Januarii*, 1708.

Resolved, That the Right of Electing a Burgess to serve in Parliament for the
Borough.

Borough of *Abingdon*, is in the Inhabitants paying Scot and Lot, and not receiving Alms, or any Charity.

Jovis, 20 die Januarii, 1708.

A Motion being made, and the Question being put, that *John Holmes* (one of the Serjeants of *Abingdon*) be now admitted to give Evidence; it passed in the Negative.

138.

Sabbati, 29 die Januarii, 1708.

Resolved, Nemine Contradicente, That the Right of Election of Burgesses to serve in Parliament for the Borough of *Orford*, (*in Com. Suffolk.*) is in the Mayor, Portmen, Capital Burgesses, and Freemen not receiving any Alms or Charity.

And a Book being produced on the Part of the sitting Members, as a Book of the Corporation, beginning in the Year 1693, (called the white Book) to prove several Persons (who had voted for them) to be Freemen, which Book being objected to by the Petitioner's Council; the Council and Witnesses withdrew, and were afterwards called in again; and Mr. Speak-

er,

er, (by Direction of the House) acquainted them that the House were of opinion, that the said Book shou'd be given in Evidence as to Freemen made after *August*, 1704.

And a Motion being made, and the Question being put, that the Council be admitted (by living Witnesses) to give Evidence as to Freemen entred in the white Book before *August*, 1704. It passed in the Negative.

Martis, 1 die Februarii, 1708.

Resolved, That it appears to this House, that Mr. *William Burslem* is guilty of Bribery and indirect Practices, &c.

Ordered, That the said Mr. *William Burslem* be, for his said Offences, taken into Custody of the Serjeant at Arms attending this House.

139.

Sabbati, 5 die Februarii, 1708.

Resolved, That the Right of Election of Burgeses to serve in Parliament for the Borough of *Dunwich* (in Com. *Suffolk*.) is only in the Freemen inhabiting within the said Borough, not receiving Alms.

140. *Martis,*

Martis, 8 die Februarii, 1708.

Resolved, That *John Soley*, Esq; (being named Recorder in the new Charter granted by her Majesty to the Town of *Bewdly*) (in *Com. Worcester*) be admitted an Evidence to prove the Acts of the Corporation before that Charter was granted.

A Motion being made, and the Question being put, that *Thomas Smith*, who was about *Michaelmas* 1707, chosen Bailiff of the Borough of *Bewdly*, and against whom an Information in the Nature of a *Quo Warranto* was brought, and Judgment given for him thereupon, was rightful Bailiff of the said Borough at the Time of the Election of a Burgess to serve in the present Parliament: It passed in the Negative.

Resolved, That *Samuel Slade*, nominated Bailiff of the Borough of *Bewdly*, by a Charter granted by her Majesty, for maintaining the Peace and good Government of the said Borough, was rightful Bailiff of the said Borough, at the Time of the Election of a Burgess to serve in this present Parliament.

141. *Mer-*

Mercurii, 9 die Februarii, 1708.

The House being acquainted, that Sir *Richard Allen*, lately adjudged to be duly elected a Burgess to serve in this present Parliament for the Borough of *Dunwich*, desires the Opinion of the House, before he takes his Place, upon the Clause in the Act of Parliament of the 12th and 13th Years of King *William*, intituled, *An Act for granting an Aid to his Majesty, for defraying the Expente of his Navy, Guards and Garrisons for one Year, and for other necessary Occasions*, which relates to the Officers of the Customs, in regard he was (by Letters Patents granted by King *Charles* the II. dated the 31st day of *May*, in the 30th Year of his Reign) made (by the Name of *Richard Anguish*) Collector of the great and petty Customs in the Port of *Yarmouth* for his Life; but surrender'd such Office the 7th day of *February* instant, which was acknowledged and enrolled the next Day.

And a Debate arising in the House thereupon, and a Motion being made, and the Question being put, that the Debate be adjourned,

It passed in the Negative.

F

Then

Then the said Letters Patents and Surrender were produced, and the Surrender read.

Resolved, That the said Sir *Richard Allen* be admitted to take his Seat in this House.

142.

Martis, 1 die Martii, 1708.

City of Coventry.

A Book being produced (alledged to be a Book of the Company of Fullers in the City) to prove that they are a Company or Corporation within the said City.

A Motion being made and the Question being put, that the said Book be received as Evidence,

It passed in the Negative.

Resolved, That the Right of electing Citizens to serve in Parliament for the City of *Coventry*, is in such Persons who have served Apprenticeships for seven Years within the City, to one and the same Trade, not receiving Alms or constant Charities.

The Petitioners Council proceeding in order to disqualify several of the Sitting Members Votes, upon account of their having received Parish Charities ; and the
Sitting

Sitting Member's Council insisting, that they have not been able to make any Discovery of what Persons (on the Petitioners part) have received the Charities of the Sacrament-Money and Bread-Money, so as to make Objections to the Petitioners Votes, upon that Account, the Minister and Church-wardens alledging they kept no Account of the same, and Witnesses being examined in relation to that Matter.

A Motion being made and the Question being put, that the Petitioners Council be admitted to give Evidence to disqualify any of the Sitting Members Votes, upon account of receiving Sacrament-Money, or Bread-Money,

It passed in the Negative.

A Motion being made, and the Question being put, that Persons receiving Sir *Thomas White's* Gift, are thereby disabled from giving their Votes in electing Citizens to serve in Parliament for the City of *Coventry*,

It passed in the Negative.

Jovis, 3 die Martii, 1708.

A Motion being made, and the Question put, that Persons receiving *Thomas Wheately's* Gift, are thereby disabled from giving their Votes in electing Citizens to

serve in Parliament for the City of *Coventry*,
It passed in the Negative.

143.

Jovis, 8 die Decembris, 1709.

The Question being put, that the Inhabitants of the *Abby*, the *Emery*, and the *Spiringate-Lane*, (not receiving Alms) have a Right to Vote, in electing Members to serve in Parliament for the Borough of *Cirencester* (*Com. Gloucester*,)

It passed in the Negative.

144.

Jovis, 15 die Decembris, 1709.

Resolved, That the Right of electing Burgesses to serve in Parliament, for the Borough of *Wallingford*, in the County of *Berks*, is in the Mayor, Aldermen, Bailiffs and eighteen Assistants, together with the Inhabitants of the said Borough, paying Scot and Lot, and not receiving Alms or Charity.

145.

Martis, 20 die Decembris, 1709.

Resolved, That the Right of electing Burgesses to serve in Parliament for the
Borough

Borough of *Shrewsbury*, in the County of *Salop*, is only in the Burgeſſes inhabiting in the ſaid Borough, or in the Suburbs thereof, paying Scot and Lot, and not receiving Alms or Charity.

146.

Martis, 20 die Decembris, 1709.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament, for the Borough of *Leſtwithiel*, in the County of *Cornwall*, is in the Mayor and ſix Capital Burgeſſes, together with the ſeventeen Aſſiſtants annually choſen, and who had a Right to Vote at the preceding Election of a Mayor.

147.

Veneris, 23 die Decembris, 1709.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament, for the Borough of *Aldborough*, in the County of *Suffolk*, is in the Bailiffs, Burgeſſes and Freemen, not receiving Alms.

F 3

148. *Sab-*

148.

Sabbati, 28 die Januarii, 1708.

Resolved, That (according to the Terms of the Act of Parliament, passed in the third Parliament of King *Charles* the II. intituled, *An Act concerning the Election of Commissioners for the Shires*) there ought to have been twelve Days exclusive between the day of Election of a Commissioner to serve in this present Parliament, for the Shire of *Ross*, and the Day appointed, by the Writ of Summons for the meeting of the Parliament.

149.

Jovis, 9 die Februarii, 1709.

Resolved, That the Right of electing Burgesses to serve in Parliament, for the Town of *Cambridge*, is in the Mayor, Bailiffs, and Freemen not receiving Alms.

150.

Sabbati, 18 die Februarii, 1709.

Resolved, That the Right of electing a Burgess to serve in Parliament, for the Borough

rough of *Beaumaris* in the County of *Anglesey*, is in the Mayor, Bailiffs, and Capital Burgeffes of *Beaumaris* only.

151.

Veneris, 1 die Dec. 1710.

The Return for the Borough of *Tiverton* being read, it appear'd that *T. B. R. M.* and *J. W. Esq;* had all an equal Number of Voices.

Resolved, That the late Election of Burgeffes, to serve in this present Parliament, for the Borough of *Tiverton* is a void Election.

Ordered, a new Writ to issue, &c.

152.

Martis, 19 die Dec. 1710.

Resolved, That the Charter, dated the 20th of *April*, 1708, attempted to be imposed upon the Borough of *Bewdly*, against the Consent of the ancient Corporation, is void, illegal and destructive of the Constitution of Parliament.

153. *Ve-*

153.

Veneris, 22 die Dec. 1710.

Resolved, That the Right of Election of Members to serve in Parliament for the Borough of *Calne*, in the County of *Wils*, is in the Inhabitants of the said Borough, having a Right of Common, and being sworn at *Ogborn-Court*.

154.

Sabbati, 23 die Dec. 1710.

Ordered, &c. a new Writ for a Burgeſs in the room of *James Worſely*, Eſq; who ſince his being elected, hath been by her Maſteſty appointed Wood-ward of the New Foreſt.

155.

Jovis, 11 die Januarii, 1710.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Lymington* in the County of *Southampton*, is not in the Mayor, Burgeſſes

gesſes and Inhabitants of the ſaid Borough,
not receiving Alms.

Resolved, That the Right of Election
of Burgeſſes to ſerve in Parliament, for the
Borough of *Lymington*, in the County of
Southampton, is in the Mayor and Burgeſſes
of the ſaid Borough only.

156.

Jovis, 11 die Januarii, 1710.

Resolved, That the Right of electing
Burgeſſes to ſerve in Parliament, for the
Borough of *East-Retford* in the County of
Nottingham, is in ſuch Freemen only, as
have a Right to their Freedom by Birth;
as eldeſt Sons of Freemen, or by ſerving
ſeven Years Apprenticeship, or have it
by Redemption, inhabiting in the ſaid Bo-
rough, at the Time of their being made
Free.

157.

Jovis, 11 die Januarii, 1710.

Resolved, That the Right of Election of
Members to ſerve in Parliament, for the
Borough of *Grantham*, in the County of
Lincoln,

Lincoln, is in the Freemen of the said Borough not receiving Alms or Charity.

158.

Martis, 16 die Januarii, 1710.

On the Hearing of the Merits of the Election for the County of *Rutland*,

Resolved, That the Petitioner be admitted to give Parole Evidence of the Mortgage of a Mortgagee in Possession of Lands for which the said Mortgager voted against the Petitioner, without producing the Mortgage Deed.

Sabbati, 20 die Januarii, 1710.

On further Hearing for the County of *Rutland*,

Resolved, That *John Taylor*, being produced as a Witness, by the sitting Member, be examined by the Petitioner, when his Annuity (*the Freehold for which he Voted*) was granted.

The Question being put, that *Samuel Freeman* be admitted to prove his Voting at the said Election, contrary to the Poll then taken by the Sheriff, it passed in the Negative.

159.

Jovis, 25 die Januarii, 1710.

At the Hearing the Merits of the Election for the Borough of *Stafford* in the County of *Stafford*,

Resolved, That the Sons of Burgesſes and thoſe who have ſerved Apprentices ſeven Years in the Borough of *Stafford*, have a Right (upon Demand thereof) to be made Burgeſſes of the ſaid Borough.

160.

Sabbati, 27 die Januarii, 1710.

Resolved, That it is the Opinion of this Committee, that the Right of Election of Barons to ſerve in Parliament, for the Town and Port of *Hyeth*, in the County of *Kent*, is in the Mayor, Jurats, Common-Council and Freemen.

Agreed to by the Houſe.

161.

Sabbati, 27 die Januarii, 1710.

Resolved, That the Mayor of the Borough of *Colcheſter*, in the County of *Effex*, cannot

cannot make Foreigners Free of the said Borough, without consent of the Majority of the Aldermen and Common-Council.

162.

Sabbati, 3 die Februarii, 1710.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Ipfwich*, in the County of *Suffolk*, is in the Bailiffs, Portmen, and Common-Council-Men, and Freemen at large, not receiving Alms.

163.

Sabbati, 3 die Februarii, 1710.

Resolved, That the Right of electing Members to ſerve in Parliament for the Borough of *Honiton*, in the County of *Devon*, is in the Inhabitants of the ſaid Borough, paying Scot and Lot only.

164.

Sabbati, 3 die Februarii, 1710.

Resolved, That *Joſeph Whiteborn*, Eſq; who was elected Mayor of the Borough of *Portsmouth*

Portsmouth, on the 10th day of *December*, 1709, and had not duly qualified himself for that Office according to Law ; by taking the Sacrament of the Lord's Supper according to the Rites of the Church of *England*, within one Year next before his Election, was not legal Mayor of the said Borough.

Resolved, That the Aldermen elected during the said pretended Mayoralty of the said Mr. *Whiteborn*, are not legal Aldermen, and the Burgeses elected during his pretended Mayoralty, have not a Right to vote in Elections of Members to serve in Parliament for the said Borough of *Portsmouth*.

165.

Lunæ, 5 die Februarii, 1710.

Ordered, &c. a new Election in the room of Sir *James Wisheart*, who since his Election has been appointed by her Majesty, to be one of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*.

166.

Sabbati, 10 die Februarii, 1710.

Resolved, That the Decree of a Baron-Court be admitted to be read, as Evidence to prove the sitting Member's possession of those Lands, for which he voted at the

G

Election

Election of the Shire of *Kinross*, tho' it was not produced when the Question was made to his Possession.

The Question being put, That the sitting Member was duly qualified to vote in the Election for the Shire of *Kinross*, it passed in the Negative.

The Question being put, That the Petitioner do produce the Transcript of several Writings by him produced at the said Election,

It passed in the Negative.

Resolved, That the Petitioner was duly qualified to vote in the Election for the Shire of *Kinross*.

167.

Lunæ, 12 die Februarii, 1710.

In the Case of Sir William Gifford, Governor of Greenwich-Hospital, it did not incapacitate him to sit in Parliament pursuant to Stat. 4. Ann. because it appear'd on inspecting the Constitution of the said Hospital that it was before the said Statute.

168.

Martis, 13 die Februarii, 1710.

At the Hearing of the Election for *Dumfries*,

The Question being put, that the Petitioner be at liberty to call a Witness as to

t
h
F

B.
ma
fem
Ma
of A
R
men
selve
fore
bly C

to Matters preceding the Election, which were in general objected at the Election,

It passed in the Negative.

The Question being put, that *Homer Maxwell*, J. G. R. G. L. G. G. of G. and J. B. who were enfeft of Estate, redeemable upon the paying a Rose-Noble, had a Right to vote in the Election of Commissioner for the Shire of *Dumfries*,

It passed in the Negative.

169.

Sabbati, 17 die Februarii, 1710.

A new Election ordered in the room of the Earl of *Hertford*, who since his Election had been appointed Governor of *Tinmouth-Port*.

170.

Sabbati, 17 die Februarii, 1710.

Resolved, That *Thomas Hills*, W. W. T. B. and J. T. having been proposed to be made Free, and rejected at a Court of Assembly, and afterwards made Free in the same Mayoralty, are not legal Freemen of the Port of *Rye*.

Resolved, That it is not necessary the Freemen of the Port of *Rye*, should qualify themselves according to the Corporation Act, before they be allowed to Vote in the Assembly Court of the said Port.

171.

Jovis, 22 die Februarii, 1710.

The Question being put, that *Abrabam Creyton*, (being the Husband of an apparent Heirefs, who was not enfeft) had a Right to Vote in the Election of a Commissioner for the Shire of *Dumfries*,

It passed in the Negative.

172.

Sabbati, 24 die Februarii, 1710.

Resolved, That the Right of electing Members to serve in Parliament, for the Borough of *Oakhampton*, in the County of *Devon*, is in the Freeholders and Freemen, being made Free according to the Charter and By-Laws of the said Borough.

173.

Sabbati, 3 die Martii, 1710.

At the hearing the Election for the Shire of *Wigtown*, the Petitioner's Counsel insisting, that the Sitting Member had not a Right to Vote, and the Sitting Member's Counsel insisting, that they ought not now to be permitted to make said Objection, the Petitioner (who was *Præses*) having signed the Freeholder's Roll.

Resolved, That the Petitioner having signed the Freeholders Roll, in which the Sitting

ting Member was inserted, with a Protestation, was at Liberty at any Time to renew his Objection against the Sitting Member's Vote, before the Election was proceeded on.

174.

Martis, 6 die Martii, 1710.

At hearing the Election for the Borough of *Cockermouth* in the County of *Cumberland*,

The Petitioner's Counsel insisting that they ought to proceed to qualify and disqualify only such Voters as were queried upon the Scrutiny, and the Sitting Member's Counsel acquainting the House, that there were Lists exchange'd between the Parties the 24th of *January* last, of what Votes each Party would insist upon to disqualify: The *Speaker* (by direction of the House) acquainted them, That they should proceed upon the Votes queried at the Election, and upon the Lists mutually delivered the 24th of *January* last.

175.

Mercurii, 14 die Martii, 1710.

Resolved, That it appears to this House, that *William Lord Bishop* of *Carlisle*, hath dispersed several Copies of a Letter, pretended to have been received from Sir

G. 3

James

James Montague (a Member of this House) in order to procure Sir *James Montague* to be elected a Citizen of the City of *Carlisle*, reflecting on the Honour of her Majesty; and by concerning himself in the said Election, hath highly infringed the Liberties and Privileges of the Commons of Great Britain.

176.

Sabbati, 17 die Martii, 1710.

Resolved, That the Freeholders of the Lands and Tenements, called *Halshanger* and *Holwell* Lands, lying within the Borough of *Ashburton*, and subject to pay a Borough Rent, have Right to Vote for Members to serve in Parliament, for the said Borough of *Ashburton*.

177.

Sabbati, 17 die Martii, 1710.

Resolved, That *Edward Tiffard* Mayor of the said Borough (*cf Weymouth and Melcombe Regis in Com. Dorset*) is guilty of several arbitrary and illegal Practices, in the late Election of Members to serve in Parliament for the said Borough.

Ordered, That *Edward Tiffard*, Mayor of the Borough of *Weymouth and Melcombe Regis*,

Regis, in the County of *Dorset*, be taken into the Custody of the Serjeant at Arms attending the House, for the said arbitrary and illegal Practices.

On Monday the 22d of April following he was brought to the Bar, reprimanded on his Knees, and discharged, paying his Fees.

And on the 2d of May, 1711, the same Votes were repeated concerning him on another Election.

178.

Martii, 10 die Aprilis, 1711.

The House proceeded to take into Consideration the Charters of Sir *John Anstruther*; relating to his heritable Offices in Scotland, descended to him from his Father, and the Charter of the 29th of April, 1704, was read, constituting the said Sir *John Anstruther's* Father, and his Heirs Males to be hereditary and perpetual Inspectors and Searchers of all prohibited and uncustom'd Goods, and Keepers of the Cocquets in the Ports of *Ely* and *Anstruther* in the Kingdom of Scotland: And also several Clauses in an Act of 12 and 13 *William III.* entitled, *An Act for granting an Aid to his Majesty, for defraying the Expence of his Navy, Guards and Garrisons for one Year, and for other necessary Occasions*, was read.

And

And also a Clause in the Act of the Sixth Year of her Majesty's Reign, Chap. 7. entitled, *An Act for the Security of her Majesty's Person and Government, and of the Succession to the Crown of Great-Britain in the Protestant Line*, was read.

Resolved, That the Hereditary Offices of an Inspector and Searcher of all prohibited and uncustom'd Goods, and Keeper of the Cocquets, in the Ports of *Ely* and *Anstruther* in *North-Britain*, are within the meaning of the Act of Parliament of the 12th and 13th Years of his late Majesty King *William*, whereby any Member of the House of Commons, having an Office, Place, or Employment, concerning the farming, managing, or collecting the Customs, is absolutely incapable of being a Member of this House.

Resolved, That Sir *John Anstruther* having, by the Death of his Father, the hereditary Offices of an Inspector and Searcher of all prohibited and uncustomed Goods, and Keeper of the Cocquets, in the Ports of *Ely* and *Anstruther*, in *North-Britain*, descended to him, but not having taken, enjoyed or executed the same, is capable of being a Member of this House.

179.

Martis, 8 die Maii, 1711.

Resolved, That Mr. *Edward Cloake* is legal Mayor of the Borough of *Camelford*, in the County of *Cornwall*, and ought to make the Return of a Burgeſſs to ſerve in this preſent Parliament for the ſaid Borough.

180.

Jovis, 7 die Februarii, 1711.

Resolved, That the Freemen of the Port of *Winchelsea*, are not obliged to qualify themſelves by receiving the Sacrament according to the Corporation-Act.

181.

Jovis, 7 die Februarii, 1711.

Resolved, That it is the Opinion of this Committee, that at the late Election of a Member to ſerve in this preſent Parliament for the Borough of *Southwark*, in the County of *Surrey*, the Poll being cloſed and caſt up, and the Majority of Votes declared by Proclamation for Sir *George Matthews*, *Henry Martin*, Eſq; the Bailiff, could not proceed to a Scrutiny, not having

ing adjourned the Court to any Time or Place.

182.

Sabbati, 23 die Februarii, 1711.

Resolved, That the Mayor and Burgesſes of the ancient Borough of *Wilton*, in the County of *Pembroke*, have a Right to Vote in the Election of a Member to ſerve in Parliament for the Borough of *Pembroke*.

183.

Jovis, 6 die Martii, 1711.

The Order of the Day being read, for taking into Conſideration the Merits of the Petition of the Freemen, and Free-Burghers of the Borough of *King's-Lynn* in the County of *Norfolk*.

And a Motion being made, and the Queſtion being put, that Couñſel be called in,

It paſſed in the Negative.

Then the Writ for electing a Burgeſs for the ſaid Borough, in the Room of *Robert Walpole*; Eſq; expelled this Houſe; and alſo the Sheriff of *Norfolk's* Precept thereupon, and the Indenture of the Return between the ſaid Sheriff, and the Mayor and Burgeſſes of the ſaid Borough, were read.

Resolved,

Resolved, That *Robert Walpole*, Esq; having been this Session of Parliament committed a Prisoner to the Tower of *London*, and expelled this House for an high Breach of Trust in the Execution of his Office, and notorious Corruption, when Secretary at War, was, and is incapable of being elected a Member to serve in this present Parliament.

Resolved, That the late Election for a Burgess to serve in this present Parliament for the said Borough of *King's-Lynn*, in the County of *Norfolk*, is a void Election.

184.

Jovis, 13 die Martii, 1711.

Resolved, That the Members of the Company of the Fullers of the City of *Coventry*, being Freemen, not receiving Alms, or weekly Charity, have a Right to Vote in the Elections of Members to serve in Parliament for the said City.

Resolved, That such Freemen of the City of *Coventry*, as do not receive Alms or weekly Charity, and have served seven Years Apprenticeship within the said City, or the Suburbs thereof, have a Right to vote in the Elections of Members to serve in Parliament for the said City.

185. *Jovis*,

185.

Jovis, 20 die Martii, 1711.

Resolved, That it is the Opinion of this Committee, That the Right of Election of Members to serve in Parliament for the Borough of *Boston* in the County of *Lincoln*, is only in the Mayor, Aldermen, Common-Council, and Freemen of the said Borough, resident in the said Borough, and paying Scot and Lot.

Resolved, That it is the Opinion of this Committee, that *William Coatsworth*, Esq; is not duly elected a Burgess to serve in this present Parliament for the Borough of *Boston* in the County of *Lincoln*.

Resolved, That it is the Opinion of this Committee, that the honourable *Philip Bertie*, Esq; is duly elected a Burgess to serve in this present Parliament for the said Borough.

The first and second Resolutions being read a second time, were agreed unto by the House.

The third Resolution being read a second time,

The Resolution of the House of the 8th of *December* last, relating to Lords of Parliament, and Lord-Lieutenants of Counties, concerning themselves in the Elections
of

of Members to serve for the Commons in Parliament; and also,

The Act of the 7th and 8th Years of his late Majesty's Reign, intituled, *An Act for preventing Charge and Expence in Elections of Members to serve in Parliament*, were read.

And the Question being put, That the House do agree with the Committee in the said Resolution,

It passed in the Negative.

Resolved, That the late Election for the said Borough of *Boston* is a void Election.

186.

Sabbati, 22 die Martii, 1711.

A Complaint being made to the House, that Mr. *John Cunningham* was summoned in behalf of Major-General *Hamilton* to attend the Committee of Privileges and Elections, to testify his Knowledge touching the late Election of a Member to serve in Parliament for the Burghs of *Pittenweem*, *Anstruther-Easter*, *Anstruther-Wester*, *Crail*, and *Kilrenny*, that Major-General *Hamilton* refuses to pay him his reasonable Charges for his Journey and Attendance. And a Copy of the said Summons being brought up to the Table and read,

Ordered, That the said *John Cunningham* have his reasonable Charges for his Journey,

H

and

and Attendance on the said Committee ; and that the same be ascertain'd by the Chairman of the said Committee.

187.

Mercurii, 3 die Martii, 1713.

A Petition of *Theophilus Ogletborpe*, Esq; was read, complaining of an undue Election and Return for the Borough of *Haslemere* in the County of *Surrey* ; and the House being informed, that it is not believed the said Mr. *Ogletborpe* did or could sign the said Petition (as he ought to have done) he being abroad beyond the Seas ; and it appearing to be delivered to the Clerk of this House the 18th of *September* last (soon after the Election for the said Borough, as the House was also informed) by one Mr. *Orby*.

Ordered, That the said Petition do lie upon the Table.

Ordered, That the said Mr. *Orby* do attend this House to-morrow Morning.

Jovis, 4 die Martii, 1713.

The House being informed that Mr. *Orby* attended (according to Order) he was called in, and examined touching the Petition of Mr. *Ogletborpe*, relating to the Election for the Borough of *Haslemere* in the County of *Surrey* ; and he owned the
Delivery

Delivery of the said Petition to the Clerk of this House, declaring that he had the same from the Lady *Oglethorpe*, with her Desire to deliver it; but that he knew nothing of the Signing thereof; and the same not appearing to be signed by Mr. *Oglethorpe*,

Resolved, That the said Petition be rejected.

188.

Martis, 9 die Martii, 1713.

The House being informed that the Petition of Colonel *John Erskine*, complaining of an undue Election and Return for the Burghs of *Stirling, Culross, Dumferling, Innerkeithing, and Queen's-ferry*, is not signed by the Petitioner.

Ordered, That it be an Instruction to the Committee of Privileges and Elections, that before they proceed upon the said Petition, they do examine into the manner of signing the same.

189.

Martis, 9 die Martii, 1713.

Resolved, That notwithstanding the Oath taken by any Candidate, at or after any Election, his Qualification may be afterwards examined into.

H 2

190. *Resolved*,

190.

Resolved, That the Person whose Qualification is expressly objected to in any Petition relating to his Election, shall within 15 Days after the Petition read, give to the Clerk of the House of Commons, a Paper signed by himself, containing a Rental or Particular of the Lands, Tenements, or Hereditaments, whereby he makes out his Qualification, of which any Person concerned may have a Copy.

191.

Resolved, That of such Lands, Tenements, or Hereditaments, whereof the Party hath not been in Possession for three Years before the Election, he shall also insert in the same Paper, from what Person, and by what Conveyance or Act in Law, he claims and derives the same ; and also the Consideration, if any, and the Names and Places of Abode of the Witnesses to such Conveyance and Payment.

192.

Resolved, That if a sitting Member shall think fit to question the Qualification of a Petitioner, he shall, within 15 Days after the Petition read, leave Notice thereof in Writing with the Clerk of the House of Commons ; and the Petitioner shall, in such
Case,

Case, within 15 Days after such Notice, leave with the said Clerk of the House the like Account in Writing of his Qualification, as is required from a sitting Member.

* 192.

Martis, 16 die Martii, 1713.

Resolved, That the Right of electing Members to serve in Parliament for the Borough of *New-Woodstock*, in the County of *Oxon*, is in the Mayor, Aldermen, and Freemen of the said Borough.

193.

Sabbati, 20 die Martii, 1713.

A Complaint being made to the House, that the Town-Clerk of the Borough of *Colchester*, having been served with an Order of the Committee of Privileges and Elections, for permitting *Nicholas Corfellis*, Esq; and his Agents, to inspect the Free-School Book, and any publick Books, Charters, Papers, or Records, in order to the preparing for the hearing of the Matter touching the Election for the said Borough before the said Committee, he the said Town-Clerk had refused the same. Whereupon one *John Summers*, Servant to

H 3

the

the said Mr. Corfellis, was called in and examined at the Bar in relation to the Matter of the said Complaint.

And then he withdrew.

Resolved, That *Thomas Glascock*, Town-Clerk of the Borough of *Colchester* in the County of *Essex*, having refused to obey the Order of the Committee of Privileges and Elections, for permitting *Nicholas Corfellis*, Esq; or his Agents, to inspect the publick Books and Records of the said Borough, be, for the said Contempt, taken into Custody of the Serjeant at Arms attending this House.

194.

Mercurii, 31 die Martii, 1714.

Resolved, That Portmen are an essential constituent Part of the Great Court for making Freemen of the Borough of *Ipswich*; without some of which Portmen being present, the said Court cannot be held.

Jovis, 1 die Aprilis, 1714.

A Motion being made, and the Question being put, That the Persons voted Freemen at the pretended great Courts held in the Corporation of *Ipswich* the 15th of *June*, the 7th of *August*, the 25th of *September*,

tember, and the 28th of September, 1711, without any legal Portmen then present, were duly made, and have a Right to Vote for Members to serve in Parliament for the Borough of *Ipswich*;

It passed in the Negative.

195.

Martis, 6 die Aprilis, 1714.

Sir *Gilbert Dolben* (according to Order) reported from the Committee of Privileges and Elections, the Matter, as it appeared to them, touching the manner of signing the Petition of *James Barry*, Earl of *Barrymore* in the Kingdom of *Ireland*, complaining of an undue Election for the Borough of *Wiggan* in the County of *Lancaster*; which Report he read in his Place, and afterwards delivered in at the Table, where the same was read.

Resolved, That the Committee of Privileges and Elections be discharged from proceeding upon the Petition of the Earl of *Barrymore*, complaining of an undue Election for the Borough of *Wiggan* in the County of *Lancaster*, the said Petition not having been signed by the said Earl himself, but having been signed by the Order of the said Earl, and owned by him.

A Motion being made, and the Question being put, and the Earl of *Barrymore* be at liberty

liberty to present a new Petition signed by himself, and containing the same Allegations which were contained in the former Petition, and no other ;

It passed in the Negative.

* 195.

Martis, 6 die Aprilis, 1714.

Resolved, That the Right of Election of Burgesſes to ſerve in Parliament for the Borough of *Harwich*, in the County of *Effex*, is in the Mayor, Aldermen, and Capital Burgesſes, or Headboroughs of the ſaid Borough reſiding within the ſaid Borough.

196.

Martis, 20 die Aprilis, 1714.

Resolved, That the Right of Election of Members to ſerve in Parliament, for the Borough of *Brackley* in the County of *Northampton*, is in the Mayor, Aldermen, and Burgesſes of the ſaid Borough.

N. B. *The Resolution of the Committee (which was amended by the Houſe) had theſe Words more than the above Reſolution, viz. reſiding in the ſaid Borough.*

197.

Martis, 27 die Aprilis, 1714.

Resolved, That the Right of Election of Members to ſerve in Parliament for the
Borough

Borough of *St. Albans* in the County of *Hertford*, is in the Mayor, Aldermen, and Freemen, and such Housholders only as pay Scot and Lot.

198.

Martis, 27 die Aprilis, 1714.

Resolved, That the Right of Election of Members to serve in Parliament for the Borough of *Bury St. Edmund's* in the County of *Suffolk*, is in the Aldermen, twelve capital Burgeſſes, and twenty four Burgeſſes of the Common-Council of the ſaid Borough.

199.

Martis, 27 die Aprilis, 1714.

Resolved, That *John Muſcott* is not qualified according to the Act of Parliament for the well-governing and regulating of Corporations, to be a principal Burgeis of the Borough of *Buckingham*, in the County of *Bucks*.

The like Resolution paſſed againſt three more of the ſame Place.

200.

Jovis, 29 die Aprilis, 1714.

At hearing the Merits of the Election for the Burghs of Anſtruther-Wether, &c.

The

The Petitioner's Counsel producing a Writing as the Minutes of the Election of a Commissary at *Pittenweem*, signed by a publick Notary, in the Absence of the Town-Clerk to be read; and it being objected to by the sitting Members Counsel, &c.

Resolved, That the Extracts of the Minutes of the Magistracy and Town-Counsel of *Pittenweem*, upon their choosing a Commissioner for the said Borough, be read as Evidence, tho' not signed by the Town-Clerk of the said Borough, but by a Clerk chosen in his Absence by the said Magistrates and Town-Council upon the said Election, and tho' no Evidence has been given, that the Town-Clerk refused to give an Extract of the said Minutes.

201.

Jovis, 6 die Maii, 1714.

Resolved, That the Right of making Foreigners (not having a Right of Freedom by Birth or Service) Freemen of the Borough of *Colchester*, in the County of *Essex*, is in the Mayor and free Burgeesses of the said Borough, in Common-Hall assembled.

202. *Jovis,*

202.

Jovis, 6 die Maii, 1714.

Ordered, That the Committee of Privileges and Elections be discharged from proceeding on the said Petition (*of Colonel John Erskine for the Burghs of Stirling &c.*) the same not having been signed by the Petitioner himself.

203.

Martis, 25 die Maii, 1714.

The House proceeded (according to Order) to the hearing the Merits of the Election for the Borough of *Southwark*, in the County of *Surrey*; and the Counsel were called in, and the Petition complaining of the said Election was read; and the Petitioners Counsel examined several Witnesses, touching the Affirmation which was administred to the People called Quakers, instead of the Oath of Abjuration; and several Sections in the Act of the 7th and 8th Years of King *William*, *Cap. 34*, and in the Act of the 6th Year of Queen *Anne*, *Cap. 23*. were read, and also the Form of the said Affirmation administer'd to them, was also read.

And

And the Counsel on both Sides were heard ; and then withdrew.

And a Motion being made, and the Question being put, That the Quakers who made their solemn Affirmation in the Form tendered to them instead of the Oath of Abjuration, by the Bailiff of the Borough of *Southwark*, upon the late Election of Members to serve in Parliament for the said Borough, had a Right to Vote in the said Election :

It passed in the Negative.

204.

Jovis, 27 die Maii, 1714.

Resolved, That the Right of electing Burgesses to serve in Parliament, for the Borough of *Shrewsbury*, in the County of *Salop*, is in the Mayor, Aldermen, and Burgesses of the said Borough.

The Petition of *John Powell, Robert Pearson, &c.* and several others, whose Names are subscribed thereto, being Burgesses of, and inhabiting in the Town of *Shrewsbury*, being read ;

Resolved, That the said Petition, complaining of an undue Election and Return of *Edward Cressett* for the said Borough of *Shrewsbury*, is frivolous, vexatious, and scandalous.

Ordered,

Ordered, That the said Petitioners do make Satisfaction to the said Mr. Cresset, for his Costs and Expences.

205.

Jovis, 3 die Junii, 1714.

Mr. Medlicott, (according to Order) reported, &c. the Election for the Borough of *Weymouth* and *Melcombe Regis*, in the County of *Dorset*, and the Resolutions of the Committee thereupon, &c. are as follow, viz.

Resolved, That it is the Opinion of this Committee, that those Persons who had no Right of Voting in the Election of Members to serve in Parliament for the Borough of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, at *Lady-day* 1710, and not claiming by Purchase for a valuable Consideration, or by Will, or by Descent since that Time, had a Right to Vote in the last Election of Members to serve in Parliament, for the said Borough.

Query, Whether this be not misprinted, and whether it ought not to be, had not a Right to Vote in the last Election, &c?

Resolved, That it appearing to this Committee, that divers scandalous and illegal Practices have been lately carried on in the Borough of *Weymouth* and *Melcombe Regis*

in the County of *Dorset*, to multiply Votes in order to the last Election of Members to serve in Parliament, it is the Opinion of this Committee, that all such Persons whose Votes were not admitted at the Determination of the last contested Election in Parliament for the said Borough, and who have not acquired a Right by Descent or Devise since that Time, had a Right of Voting in the last Election of Members to serve in Parliament for the said Borough.

Query, Whether this be not misprinted, and whether the Word (not) be not omitted before the Words (a Right of Voting)?

Resolved, That it is the Opinion of this Committee, that no Freeholders of the Borough of *Weymouth* and *Melcombe Regis* in the County of *Dorset*, made since the Election of Burgesses to serve in Parliament for the said Borough in *April 1711*, unless claiming by Devise or Descent, had any Right of Voting in the last Election of Members to serve in Parliament, for the said Borough.

Resolved, That it is the Opinion of this Committee, that all Conveyances to split and divide the Interest in any Houses or Lands in the Borough of *Weymouth* and *Melcombe Regis*, among several Persons, in order to multiply Voices at the Election of Members

Members to serve in Parliament for the said Borough, are illegal and void.

Here follow seven other Resolutions, who are; and, who are not duly elected, &c. for N. B. this Borough sends four Members, it having been two Boroughs formerly.

The first and second Resolutions being severally read a second time, were, upon the Question severally put thereupon, disagreed unto by the House.

The rest of the said Resolutions being severally read a second time, were, upon the Question severally put thereupon, agreed unto by the House.

206.

Martis, 8 die Junii, 1714.

The House being informed, that (in relation to the Election for the Borough of *Harwich*, in the County of *Essex*, the Merits of which Election is to be heard Tomorrow in the Afternoon, before the Committee of Privileges and Elections) the Solicitors for the Petitioner and Sitting Member had but yesterday deliver'd to each other, Lists of several Persons Names, whom they intend to object against, upon Account of their not being qualified according to the Corporation Act, and that

the Satisfaction of them will require some Time.

Ordered, That it be an Instruction to the said Committee, that they do put off the hearing the Merits of the said Election until To-morrow seven-night.

207.

Martis, 29 die Junii, 1714.

On the further Hearing of the Merits of the Election for the Borough of *Southwark*, in the County of *Surrey*, &c.

A Motion being made and the Question being put, that Persons inhabiting in the *Mint*, or Rules of the *Queen's-Bench*, in the Borough of *Southwark*, and paying a Rent of 10 *l. per Annum*, or upwards, have a Right to Vote for Members to serve in Parliament, for the said Borough of *Southwark*, though they do not pay Scot and Lot, within the said Borough;

It passed in the Negative.

208.

Lunæ, 28 die Martii, 1715.

The House being informed that *John Richmond Webb*, Esq; desires the Opinion of this House, in relation to his taking his Place in the House, in respect of his being constituted

constituted Governour of the *Isle of Wight* by Letters Patents which passed the Great Seal since his Election, but issued pursuant to a Warrant granted before the Election.

Ordered, That the said Warrant and Letters Patents be laid before this House.

209.

Lunæ, 28 die Martii, 1715.

The Clerk of the Crown (according to order) attended with the Returns for the County of *Wilts.*

The Sheriff's Precept directed to the Mayor of the Borough of *Westbury* in the said County; the Receipt given by the said Mayor for the same; and the Return of *Willoughby Bertie* and *Francis Anesley*, Esqs; by Indenture under the common Seal of the said Borough, signed by the Mayor; and also,

The Return of *George Evans*, and *Charles Allanson*, Esqs; by Indenture under the Hands and Seals of *John Turner*, Constable of the said Borough, and several other Burgeses, were severally read.

Ordered, That the Clerk of the Crown do take off the File the said Indenture, by which Mr. *Evans* and Mr. *Allanson* are returned.

210.

Luna, 4 die Aprilis, 1715.

A Complaint being made to the House, that the Mayor of the Town of *Cambridge* being served with an Order of the Committee of Privileges and Elections, for permitting Mr. *Shepherd* and Mr. *Jenyns*, or their Agents, to inspect the Records, Charters, and publick Books and Writings of the said Town: Mr. *Joseph Pyke*, and Mr. *John York* were called in, and examined at the Bar, and the Order of the Committee was read.

Resolved, That Mr. *Charles Chambers*, Mayor of the Town of *Cambridge*, having refused to obey the Order of the Committee of Privileges and Elections for permitting *Samuel Shepherd Jun.* and *John Jenyns, Jun. Esqs;* or their Agents to inspect the Records, Charters, and publick Books and Writings of the said Town, be for the said Contempt taken into the Custody of the Serjeant at Arms attending this House.

211.

Luna, 4 die Aprilis, 1715.

A Complaint being made to the House, that the Under-Sheriff of the County of
Cum-

Cumberland (who executed the Writ for electing Knights of the Shire for the said County) hath not made any Return thereof by the 17th of *March* last, being the Day appointed for such Return, by which means none of the Members chosen to serve for the said County, or the Boroughs therein, can be admitted to give their Attendance in this House.

Resolved, That *Thomas Crosby*, Under-Sheriff of the County of *Cumberland*, having neglected to return the Writ for electing the Members of the said County by the 17th Day of *March* last, being the Day appointed for the Return thereof, is guilty of a great Breach of the Privilege of this House.

Ordered, That the said *Thomas Crosby* be, for the said Breach of Privilege, taken into the Custody of the Serjeant at Arms attending this House.

212.

Jovis, 28 die Aprilis, 1715.

At the further hearing the Merits of the Election for the Borough of *Shaftesbury* in the County of *Dorset* — the Council for the Petitioners proceeded to give Evidence touching the corrupting of Votes for the sitting Members; and also touching such
Persons

Persons as had a Right to vote, but were refused to be admitted for the Petitioners.

After which the sitting Members Council proceeded to call Witnesses, to justify the Voters objected against by the Petitioners Council.

And *Edward Grimsted*, Sen. being called in to prove the Qualification of *Richard Hayter* (who had been objected against by the Petitioner's Council) to vote at the said Election.

And the Petitioner's Council objecting against his being examined as a Witness, in regard that the said *Edward Grimsted* was charged, by the Petitioner's Evidence, with having endeavoured to corrupt some Persons to vote for the sitting Members, the Council on both sides were heard, touching the said Objection ; and then they withdrew.

Resolved, That the Council for the sitting Members be admitted to examine *Edward Grimsted*, Senior, as to *Richard Hayter's* being qualified to vote at the late Election of Members to serve in Parliament for the Borough of *Shaftesbury*.

Robert Brickle, being called to prove the Qualification of *Abraham Buckland* (who had been objected against by the Petitioner's Council) to vote at the said Election ; and the said *Robert Brickle* being objected against

against by the Petitioner's Council, in regard that he had been charged by the Petitioner's Evidence with having endeavoured to suborn a Person to give false Evidence to this House ; the Council, &c.

And a Motion being made, and the Question being put, that the Council, for the sitting Members be admitted to examine *Robert Brickle* as to *Abraham Buckland's* being qualified to vote at the late Election of Members to serve in Parliament for the Borough of *Shaftesbury* ;

It passed in the Negative.

213.

Sabbati, 30 die Aprilis, 1715.

Resolved, That *William Benson*, Esq; one of the Petitioners, complaining of an undue Election for the Borough of *Shaftesbury*, in the County of *Dorset*, having, at the Demand of the sitting Members, delivered in a Particular of Lands, Tenements, and Hereditaments, in order to make out his Qualification to be elected for the said Borough, pursuant to the Order of the House of the 23d of *March* last ; the Council for the sitting Members (if they have any Objection to the said *William Benson's* Qualification) be directed to make their Objections

jections to the said Particular, deliver'd in pursuant to the said Order of the House, so far only as the same relates to Lands, Tenements, and Hereditaments in the Parish of *Bromley* in the County of *Middlesex*; being the only Qualification the said *William Benson* gave in upon Oath at the said Election, as appears by the Certificate of the Mayor of the said Borough.

Note, *The Qualification upon Oath was not so extensive as that delivered in to the Clerk of the House; but by the last Resolution it appears he was only to take Benefit by such Estate as was comprized both in the Oath and the Particular, and not in one of them alone.*

214.

Sabbati, 7 die Maii, 1715.

On the further hearing the Merits of the Election for the Borough of *Bridport* in the County of *Dorset*,

Resolved, That the Petitioner be admitted to give evidence in relation to the Partiality of the Bailiff at the late Election of Members to serve in Parliament for the Borough of *Bridport*.

Mr. Arthur Pain being called;

The Petitioner's Council objected against his being examined, for that he had been charged

charged by the Petitioner's Evidence with having (as Agent for Mr. *Strangeways*) distributed Money and Corn to Voters.

And the Question being put, that the Council for the sitting Member be admitted to examine *Arthur Pain* touching *William Pierce's* being of full Age at the time of the last Election for the Borough of *Bridport*;

It passed in the Negative.

The Council for the sitting Member examined several Witnesses in relation to Wheat given by the Family of *Strangeways*, whether the same was an usual Charity, as they insisted, or Bribery, as the Petitioner's Council insisted?

And *John Tucker* being called to be, &c.

And the Question being put, that *John Tucker* having been concerned in the distributing of Wheat to the Inhabitants of *Bridport*, before *Christmas* last, be admitted to be examined as a Witness in this Cause,

It passed in the Negative.

215.

Veneris, 20 die Maii, 1715.

Mr. *Hampden* (according to Order) reported, &c.—as follow, viz.

Resolved, That it is the Opinion of this Committee, that the Right of Election of
Mem-

Members to serve in Parliament for the Borough of *Malden* in the County of *Essex*, is in such Freemen as do not receive Alms, and are intitled to Freedom by Birth, Marriage, or Servitude.

Resolved, That it is the Opinion of this Committee, that such Persons who derive their Right to Freedom from Honorary Freemen of the Borough of *Malden* in the County of *Essex*, have not a Right to Vote in the Election of Members to serve in Parliament for the said Borough.

Resolved, That it is the Opinion of this Committee, that Persons claiming their Freedom by Purchase, and exercising Trades within the Borough of *Malden* in the County of *Essex*, have not a Right to Vote in the Election of Members to serve in Parliament for the said Borough.

216.

Resolved, That it is the Opinion of this Committee, that *John Comyns*, Serjeant at Law, having at the late Election of Members to serve in Parliament for the Borough of *Malden* in the County of *Essex*, wilfully refused to take the Oath of Qualification, as is directed by an Act of Parliament of the Ninth Year of the late Queen, (Intitled, *An Act for securing the Freedom of Parliaments, by the farther qualifying*

lifying the Members to sit in the House of Commons) though duly required so to do, and not having at any time before the meeting of this Parliament taken the said Oath, his Election is thereby void.

Here follow two Resolutions of the Committee; who are duly elected, &c.

The said Resolutions being severally read a second Time, and the Question being severally put upon the three first of the said Resolutions, that the House do agree with the Committee in the said Resolutions,

It passed in the Negative.

The rest of the Resolutions being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House.

217.

Martis, 24 die Maii, 1715.

The House (according to Order) proceeded to the further hearing the Merits of the Election for the Borough of *Hertford*: And one *Thomas Webb* being offered to be examined as a Witness, the Sitting Member's Council objected against his being examin'd, for that he was charg'd by the Sitting Member's Evidence to have endeavoured to procure a Vote for the

K

Petitioners

Petitioners by Corruption, at the last Election, and had reflected on the Justice of this House.

Resolved, That the Petitioner's Council be admitted to examine *Thomas Webb*, in relation to *John Bowles's* being an Inhabitant of the Borough of *Hertford* at the time of his being made Free.

218.

Resolved, That *Joseph Calton*, Mayor of the Borough of *Hertford*, is guilty of acting in an illegal and arbitrary manner in the late Election of Burgesses to serve in Parliament for the Borough of *Hertford*, in Contempt of the Act to prevent false and double Returns of Members to serve in Parliament, and in Breach of the Privilege of this House.

Ordered, That the said *Joseph Calton* be, for the said Breach of Privilege, taken into the Custody of the Serjeant at Arms attending this House.

219.

Veneris, 27 die Maii, 1715.

Mr. *Hampden* (according to Order) reported from the Committee, &c.

Resolved,

Resolved, That it is the Opinion of this Committee, that the Mayor, Bailiffs and Burgeffes of the Town of *Cambridge*, may hold a summon'd Common-day Court, and admit Freemen without fix Aldermen of the said Town being then present.

Resolved, &c.

Resolved, &c.

The first Resolution being read a Second time, and the Question being put, that the House do agree with the Committee in the said Resolution,

It passed in the Negative.

220.

Mercurii, 1 die Junii, 1715.

Resolved, That the Right of Election of Members to serve in Parliament for the Borough of *Westbury* in the County of *Wilts*, is in every Tenant of any Burgage-Tenement in Fee, for Life, or Ninety Nine Years determinable on Lives, or by Copy of Court Roll, paying a Burgage-Rent of Four Pence or Two Pence Yearly, being Resident within the Borough, and not receiving Alms.

Jovis, 2 die Junii, 1715.

The House proceeded to the further hearing the Merits of the Election for the Borough of *Newcastle Under-line*, and the Council, &c.

And one *Ralph Mare* being offered as a Witness to prove the distributing Wheat, and Money instead thereof, to the Bugeffes,

The Petitioner's Council objected against his being examined as a Witness, for that he was charged by the Petitioner's Evidence with having confessed he had Thirty Shillings to come up to be a Witness.

Resolved, That the Sitting Member's Council be admitted to examine *Ralph Mare* as a Witness, touching Wheat being distributed at the Borough of *Newcastle Under-line*.

The Petitioner's Council replied, and called one *Samuel Lowe* to be examined as a Witness touching a Declaration made by the Petitioner *Mr. Offley*, before her late Majesty's death, of his Intention to distribute Wheat, and the Sitting Member's Council objected against his being examined as a Witness, he being charged by the

Sitting

Sitting Member's Evidence to have distributed the said Wheat.

Resolved, That the Council for the Petitioners be admitted to examine *Samuel Lowe*, in relation to the Wheat distributed at the Borough of *Newcastle Under-line*.

222.

Sabbati, 11 die Junii, 1715.

The House proceeded to the hearing the Matter of the Petition of *Andrews Windsor*, Esq; touching the Election and Return for the Borough of *Monmouth*.

The Council for the Petitioner insisting to proceed upon the Merits of the Return in the first place, which the Council for the Sitting Member opposing, and insisting that the Merits of the Election ought to be proceeded on at the same time, &c.

Resolved, That the Council for the Petitioner be directed to proceed upon the Merits of the Election as well as upon the Merits of the Return for the Borough of *Monmouth*.

223.

Martis, 14 die Junii, 1715.

The Clerk of the Crown attending with the Return for the Borough of *Monmouth*,

the same was read, and appeared to be made by the Mayor of *Newport*, and several Burgeses of *Monmouth*, *Newport* and *Usk*, without the Precept from the Sheriff of the County of *Monmouth* being annexed thereto.

Ordered, That the Clerk of the Crown do take the said Return off the File.

And he took the same off accordingly.

And the House being acquainted that the Mayor of *Monmouth* was in Town with the Return for the said Borough annexed to the Precept to him directed;

Ordered, That the Mayor of the Borough of *Monmouth* do forthwith deliver to the Clerk of the Crown the Return (with the Precept annexed) of a Burgeses to serve in this present Parliament for the said Borough; and that the Clerk of the Crown do annex the same to the Writ returned by the Sheriff of the County of *Monmouth*.

224.

Jovis, 16 die Junii, 1715.

Resolved, That the Right of Election of Members to serve in Parliament for the Borough of *Horsham* in the County of *Sussex*, is in all such Persons as have an Estate of Inheritance, or for Life in Bur-
gage-

gage-Houses or Burgage-Lands, lying within the said Borough.

225.

Jovis, 16 die Junii, 1715.

Mr. *Hampden* (according to Order) reported from the Committee as follow.

Resolved, That it is the Opinion of this Committee, that the Right of Election of Members to serve in Parliament for the Borough of *Aldborough* in the County of *Suffolk*, is not in the Bailiffs, Burgeesses, and Freemen of the said Borough not receiving Alms.

Resolved, That it is the Opinion of this Committee, that the Right of Election of Members to serve in Parliament for the Borough of *Aldborough* in the County of *Suffolk*, is in the Bailiffs and Burgeesses resident within the said Borough, and not receiving Alms.

Here are four more Resolutions; who are, and who are not duly elected, &c.

The first four of the said Resolutions being severally read a second time, the same were upon the Question severally put thereupon, disagreed unto by the House.

226. *Sabbati,*

226.

Sabbati, 18 die Junii, 1715.

The Question being put, That *Simon Gough* and *John Moor* having signed the Indenture of Return, by which *Charles Cornwall*, Esq; is returned a Burgess to serve in this present Parliament for the Borough of *Weobly* in the County of *Hereford*, the House will proceed on the Petition of the said *Simon Gough* and *John Moor*, complaining of an undue Election of the said *Charles Cornwall*, Esq;

It passed in the Negative.

227.

Resolved, That it appears to this House, that *Simon Gough* is guilty of distributing Money in order to procure *Paul Foley*, Esq; to be elected a Burgess to serve in this present Parliament for the Borough of *Weobly* in the County of *Hereford*.

Ordered, That the said *Simon Gough* be for his said Offence taken into the Custody of the Serjeant at Arms attending this House.

228. *Martis,*

Martis, 28 die Junii, 1715.

The House (according to Order) proceeded in the further hearing the Merits of the Election for the County of *Bedford*, and the Council on both sides were called in; and the Petitioner's Council calling a Witness to prove that one of the sitting Member's Voters had no Estate in the Parish where his Freehold is set down on the Poll, the sitting Members Council objected against the giving such Evidence, the Voter having sworn he had an Estate there.

Resolved, That the Council for the Petitioner be admitted to give Parole Evidence as to a Person's being no Freeholder, who swore himself to be a Freeholder at the time of the Election.

Jovis, 30 die Junii, 1715.

The House proceeded in the farther hearing the Merits of the Election for the County of *Bedford*; and the Petitioner's Council proceeded further to examine Witnesses (in order to disqualify Voters for the sitting Members) to some as to their not being

being rated to any Taxes, to others as to their not having any Estate in the Place they voted for, and to others as to their Estates being Copyholds ; and afterwards the Petitioner's Council acquainted the House, that they had Objections to many other Voters for the sitting Member, in regard they did not pay to the publick Taxes in such Proportion as other Estates of 40*s. per Annum* in the same Place, as the Acts of the 10th and 12th of Queen *Anne* direct ; and desired the Directions of the House, whether they should go into such an Examination, and of what Nature the Evidence should be.

And the Act of the 10th Year of her late Majesty, intituled, *An Act for the more effectual preventing fraudulent Conveyances, in order to multiply Votes for Knights of Shires to serve in Parliament* ; and also,

An Act of the 12th Year of her said late Majesty was read, for *explaining the said Act, as far as the same relates to the Ascertaining the Value of Freeholds of Forty Shillings per Annum.*

And a Motion being made, and the Question being put, that where any Person pays to the King's-Tax, Church, or Poor's Rates, and has sworn to the Value of his Freehold, such Freehold being in his own Possession, that this House will proceed
unto

unto the Consideration, whether such Freehold is assessed to the said Taxes and Rates in such proportion as other Lands of Forty Shillings *per Annum*, within the same Parish or Township, are charged to the same ;

It passed in the Negative.

230.

Sabbati, 2 die Julii, 1715.

On the further hearing the Merits of the Election for the County of *Bedford*, the sitting Member's Council producing a Paper, as the Rate for the Land-Tax in the Year 1714, for the Parish of *Potton*, to prove that one of the sitting Members Voters had been rated thereto for the said Year ; the Petitioner's Council objected against the same, it not being signed by the Assessors, or Commissioners, but only by the Collectors for the Land-Tax ; and the sitting Members Council insisting upon its being read ;

And the Question being put, that a Paper intitled, *Potton Land-Tax of Two Shillings in the Pound for 1714* (although not signed by the Assessors, or Commissioners for the Land-Tax) be read as Evidence,

It passed in the Negative,

231. *Lunæ,*

231.

Lunæ, 4 die Julii, 1715.

Resolved, That the Proceeding of the Mayor and Common-Council of the Town of *Haverford-West* in making Burgesses without the Consent of the Commonalty, was illegal, and contrary to the Rights of the said Town ; and that the Burgesses so pretended to be made, have not thereby acquir'd any Right of voting in any future Elections.

232.

Jovis, 7 die Julii, 1715.

The House being acquainted that *George Carpenter Esq;* since his Election for the Borough of *Whitchurch*, is appointed his Majesty's Envoy to the Court of *Vienna*, and that he desires to know the Sense of the House, whether he is included in the Disability of the Act of the 6th Year of her late Majesty, and the Clause in the said Act relating thereto was read ;

And the Question being put, that *George Carpenter Esq;* being appointed his Majesty's Envoy at the Court of *Vienna* since his Election for the Borough of *Whitchurch* in the County of *Southampton*, his Election

Election for the said Borough is thereby become void ;

It passed in the Negative.

233.

Jovis, 14 die Julii, 1715.

On the farther hearing the Merits of the Election for the County of *Bedford*—

The Question being put, that the Council for the sitting Member be admitted to examine *Edward Kemp*, to prove that *William Reynold* voted otherwise than he is set down upon the Sheriff's Poll ;

It passed in the Negative.

234.

Jovis, 28 die Julii, 1715.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Borough of *Taunton* in the County of *Somerset*, is in the Inhabitants within the said Borough, being Pot-wallers, and not receiving Alms or Charity.

L

235. *Jovis,*

Jovis, 11 die Augusti, 1715.

The House proceeded in the farther hearing the Merits of the Election for the Borough of *Taunton*; and the Council on both sides were called in: and the Petitioner's Council insisted upon the disqualifying several Persons who voted for the sitting Members, on account of their having received the Charities called the *Town-Charity* (which is vested in Feoffees) and *Meredith's Charity*.

And a Book being produced, wherein is entered the Account of the Disposition of the *Town-Charity*, the sitting Member's Council objected to the said Book's being read as Evidence.

Resolved, That the Account of *Jeffery Pyssing*, Steward and Bailiff of the Lands and Tenements belonging to the Town of *Taunton* in the County of *Somerset*, from the 21st Day of *December* 1713, to the 21st Day of *December* 1714, (inserted in a Book intituled, *Taunton; An Account-Book of the Profits of the Town-Lands, 1683.*) altho' not allowed and signed by the Feoffees, be admitted to be read as Evidence.

Sabbati, 27 die Augusti, 1715.

The House proceeded to the farther hearing of the Merits of the Election for the Borough of *Taunton*, and the Council on both sides were called in; and the Council for the sitting Members proceeded to examine Witnesses to disqualify some of the Voters for the Petitioners upon account of their receiving Charity, particularly as to a Charity called *Saunders's Charity*, and the sitting Member's Council insisting to examine as to that Charity, being given in the Year 1713, and the Petitioner's Council opposing their examining as to any Persons who had not received that Charity within a Year before the Election.

And a Motion being made, and the Question being put, that the Council for the sitting Members be admitted to give Evidence of Persons having received *Saunders's Charity* before the 2d of *February* 1713,

It passed in the Negative.

237.

Jovis, 8 die Septembris, 1715.

A Petition of *Anne Cater* of *Eastow* in the County of *Bedford* Widow, *John Purton* of *Kempston*, *James Coot* of *Eaton Sacon*, and *Stephen Norman* of *Felmersham* in the County of *Bedford*, was presented to the House and read, praying that they may be relieved for their Charges in coming up and staying in Town (being summoned up as Witnesses by *John Harvey* Esq;) to attend the hearing the Merits of the Election for the County of *Bedford*, at the Bar of the House, they having desired him to give them reasonable Satisfaction, which he hath refused to do.

Ordered, That the said Mr. *Harvey* do pay the Petitioners their reasonable Charges, to be settled by Mr. *Speaker*.

238.

Sabbati, 24 die Martii, 1715.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown to make out a new Writ for electing a Burgess to serve in this present Parliament for the Borough of *Andover* in the County of *Southampton*, in the room of the honourable

able *James Brudenell* Esq; who (since his Election for the said Borough) hath accepted the Office of Master of the Jewel-Office to his Majesty.

239.

Martis, 27 die Martii, 1716.

A Motion being made, that Mr. *Speaker* do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing a Burgess to serve in this present Parliament for the Borough of *Dunbeved*, alias *Launceston*, in the County of *Cornwall*, in the room of *John Anstis* Esq; to whom her late Majesty granted the Office of *Gar-ter* principal King of Arms after the Death of Sir *Henry St. George*, who is now dead;

Ordered, That the Letters-Patents by which the said Office is granted to the said Mr. *Anstis* be laid before this House.

240.

Mercurii, 28 die Martii, 1716.

The House being informed that the Letters-Patents, by which the Office of *Gar-ter* principal King of Arms, after the Death of Sir *Henry St. George* was granted by her late Majesty to *John Anstis* Esq; have been

delivered to the Clerk of this House, and are now on the Table,

Ordered, That the said Letters-Patents be now read.

The said Letters-Patents were read.

And a Motion being made, that Mr. *Speaker* do issue his Warrant to the Clerk of the Crown to make out a new Writ for the electing a Burgess to serve in this present Parliament for the Borough of *Dunbeved*, alias *Launceston*, in the County of *Cornwall*, in the room of *John Anstis* Esq; who since his Election for the said Borough hath accepted the Office of *Garter* principal King of Arms, granted to him by her late Majesty after the Death of Sir *Henry St. George*, who is now dead;

And a Debate arising in the House there-upon,

Ordered, That the Debate be adjourned until *Friday* Sevensnight.

Resolved, That the House do adjourn till *Monday* Sevensnight.

The House being adjourned to a longer Day, than the Debate, there was nothing done in it this Session, but in the following Session a new Writ ordered, as will appear hereafter. See N^o. 263.

241.

Mercurii, 30 die Maii, 1716.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the City of *Wells* in the County of *Somerſet*, is in the Mayor, Maſters, and Burgeſſes of the ſaid City.

242.

Resolved, That the By-Law made by the governing Part of the Corporation of *Wells* in 1712, pretending to inflict one hundred Pounds Penalty on the Mayor that nominates or makes any Burgeſſ without the Conſent of the major Part of the Corporation, and fifty Pounds Penalty on any Burgeſſ that takes the Oath appointed to be taken by the Burgeſſes, or that uſes, claims, or challenges any Freedom or Privilege of a Burgeſſ without ſuch Aſſent, is arbitrary and illegal.

243.

Mercurii, 30 die Maii, 1716.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the Borough of *Reading* in the County of *Berks*,
is

s in the Inhabitants only, paying Scot and Lot.

244.

Veneris, 15 die Junii, 1716.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown to make out a new Writ for electing a Burgess to serve in this present Parliament for the Borough of *Eye* in the County of *Sussex*, in the room of *Edward Hopkins* Esq; who since his Election for the said Borough, hath accepted the Office of one of the Commissioners of his Majesty's Revenue in *Ireland*.

245.

Martis, 26 die Junii, 1716.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgess to serve in this present Parliament for the Borough of *Old Sarum* in the County of *Wilts*, in the room of *Thomas Pitt* Esq; who since his Election for the said Borough, hath accepted of being Governour of the Plantation of *Jamaica*.

246. *Luna,*

246.

Lunæ, 4 die Martii, 1716.

A Petition of divers of the Inhabitants of the Borough of *Leominster* in the County of *Hereford*, was presented to the House and read, complaining of an undue Election for the said Borough.

And a Motion being made, and the Question being put, that the said Petition be referred to the Committee of Privileges and Elections, and that they do examine the Matter thereof, and report the same, with their Opinion thereupon to the House ;

It passed in the Negative.

Resolved, That the said Petition be rejected.

247.

Sabbati, 30 die Martii, 1717.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgess to serve in this present Parliament for the Borough of *Woodstock*, in the County of *Oxon*, in the room of Sir *Thomas Wheate*, Bart. who, since his Election for the

the said Borough, hath accepted the Office of chief Keeper of the Ordnance, Munition, and Stores belonging to the Office of Ordnance.

248.

Sabbati, 6 die Aprilis, 1717.

A Petition of several of the Inhabitants and Burgeses of the Borough of *Leominster* in the County of *Hereford*, who have a Right of Voting for electing Members to serve in Parliament for the said Borough, was presented to the House and read, complaining of an undue Election and Return for the said Borough.

Ordered, That the said Petition be referr'd to the Consideration of the Committee of Privileges and Elections, and that they do examine the Matter thereof, and report the same, with their Opinion thereupon, to the House.

249.

Jovis, 11 die Aprilis, 1717.

Resolved, That the By-Law, made the twenty-first of *September* one thousand six hundred seventy, by the Mayor and five chief Burgeses of *Yarmouth*, in the *Isle of Wight*, (being the major part of the chief Burgeses then existing) for electing Free Burgeses,

Burgesſes, by the Mayor and five chief Burgesſes, was a good By-Law.

250.

Lunæ, 13 die Maii, 1717.

Resolved, That the Right of Election of Members to ſerve in Parliament for the Borough of *Marlborough*, in the County of *Wilts*, is in the Mayor and Burgesſes of the ſaid Borough only.

251.

Jovis, 23 die Maii, 1717.

The Clerk of the Crown attending (according to Order) with the Return for the Borough of *Minehead*, in the County of *Somerſet*,

The Indenture annexed to the Writ, and returned by the Sheriff to the Clerk of the Crown, and the Sheriff's Return endorsed upon the Writ, were read.

Then the High Sheriff was called in, and deliver'd in the Receipt which was given him upon the Delivery of the Precept.

And the ſaid Receipt was read, and the High Sheriff examined, and then he withdrew.

After-

Afterwards the Under-Sheriff was called in and examined ; and then he withdrew.

Then *John Jones*, one of the Constables of *Minehead*, was called in and examined, and he produced two Precepts with Receipts endorsed thereupon, and the two Indentures of Return, which were read ; and then he withdrew.

Also Mr. *Blake* of *Minehead* was called in and examined, and then he withdrew.

And a Motion being made, and the Question put, that the Merits of the Election, and Return for the Borough of *Minehead*, in the County of *Somerset*, be referred to the Committee of Privileges and Elections ;

It passed in the Negative.

Resolved, That the Indenture, signed by the Burgesses of *Minehead*, in return to the Sheriff of the County of *Somerset's* Precept for electing Burgesses to serve in this present Parliament for the said Borough, not being signed by *John Jones*, one of the said Burgesses to whom the said Sheriff caused his Precept to be deliver'd, is an undue and insufficient Return.

Resolved, That the Indenture signed by the said *John Jones*, and other Burgesses of the said Borough of *Minehead*, and which was tendered to the said Sheriff, is a due and sufficient Return.

Ordered,

Ordered, That the Clerk of the Crown do take off from the Writ, the Indenture signed by the Burgesſes of the Borough of *Minehead*, in the County of *Somerſet*, which is not ſign'd by *John Jones*, one of the ſaid Burgeſſes, to whom the Sheriff cauſed his Precept to be delivered.

Ordered, That the Sheriff of the County of *Somerſet*, do receive and annex to the Writ the Indenture ſign'd by *John Jones*, and others of the Burgeſſes of the ſaid Borough of *Minehead*.

252.

Ordered, That *Samuel Edwyn*, Eſq; and *Thomas Gage*, Eſq; have Liberty to petition this Houſe, in relation to the Election for the ſaid Borough of *Minehead*, within 14 Days next, if they think fit.

253.

Jovis, 13 die Junii, 1717.

Resolved, That the Conſtables of *Minehead* are the proper Officers, to whom the Precept for electing Burgeſſes to ſerve in Parliament for the Borough of *Minehead*, in the County of *Somerſet*, ought to be delivered, and to whom the Execution of ſuch Precept doth belong.

M

254. Mar-

254.

Martis, 18 die Junii, 1717.

A Petition of *Thomas Prowse*, Steward of the Manor of *Minehead*, in the County of *Somerset*, was presented to the House and read, complaining that he was required by Warrant from Mr. *Speaker*, to permit *George Speke*, Esq; or his Agents, to inspect the Court-Rolls, and other Records of the said Manor, and to take out such Copies and Notes therefrom as they should think fit, and to attend this House the thirteenth Instant with the said Court-Rolls, and Records; and that he did produce the said Court-Rolls, and did appear and was examined: but that the said Mr. *Speke's* Agent refuseth to give him reasonable Satisfaction for the same; and praying that he may be relieved therein.

Ordered, That the said *Thomas Prowse* be paid his reasonable Charges, to be settled by Mr. *Speaker*

255.

Martis, 18 die Junii, 1717.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgess

gers to serve in this present Parliament for the Borough of *Cockermouth*, in the County of *Cumberland*, in the room of *Nicholas Lechmere*, Esq; who, since his Election for the said Borough, hath accepted the Office of Chancellor of the Dutchy of *Lancaster* for Life.

256.

Jovis, 21 die Decembris, 1717.

Resolved, That notwithstanding the Oath taken by any Candidate at or after any Election, his Qualification may be afterwards examined into.

257.

Resolved, That the Person whose Qualification is expressly objected to in any Petition relating to his Election, shall, within fifteen Days after the Petition read, give to the Clerk of the House of Commons a Paper signed by himself, containing a Rental or Particular of the Lands, Tenements, and Hereditaments whereby he makes out his Qualification; of which any Person concerned may have a Copy.

258.

Resolved, That of such Lands, Tenements, and Hereditaments, whereof the Party hath not been in Possession for three Years before the Election, he shall also insert in the same Paper from what Person, and by what Conveyance or Act in Law he claims and derives the same; and also the Consideration, if any, paid, and the Names and Places of Abode of the Witnesses to such Conveyance and Payment.

259.

Resolved, That if any Sitting Member shall think fit to question the Qualification of a Petitioner, he shall, within fifteen Days after the Petition read, leave Notice thereof in Writing with the Clerk of the House of Commons; and the Petitioner shall in such Case, within fifteen Days after such Notice, leave with the said Clerk of the House the like Account in Writing of his Qualification, as is required from a Sitting Member.

260.

Resolved, That the four last Resolutions be declared to be standing Orders of the House.

261. Lu-

261.

Lunæ, 25 die Novembris, 1717.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgeſſs to ſerve in this preſent Parliament for the Borough of *Bere-aſton*, in the County of *Devon*, in the room of *Horatio Walpole*, Eſq; who, ſince his Election for the ſaid Borough, hath accepted the Office of Surveyor and Auditor-General of all his Maſteſty's Revenues ariſing in *America*.

262.

Lunæ, 2 die Decembris, 1717.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgeſſs to ſerve in this preſent Parliament for the Borough of *Ipswich*, in the County of *Suffolk*, in the room of *William Churchill*, Eſq; who, ſince his Election for the ſaid Borough, hath accepted the Office of Bookſeller, Bookbinder and Stationer to his Maſteſty.

M 3

263. Sab

263.

Sabbati, 7 die Decembris, 1717.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgess to serve in this present Parliament for the Borough of *Dunbeved*, alias *Launceston*, in the County of *Cornwall*, in the room of *John Anstis*, Esq; who, since his Election for the said Borough, hath accepted the Office of Garter Principal King at Arms. See N^o 240.

264.

Lunæ, 24 die Februarii, 1717.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Borough of *Minehead*, in the County of *Somerjet*, is in the Parishioners of *Minehead* and *Dunster*, being Housekeepers in the Borough of *Minehead*, and not receiving Alms.

And the Petitioner's Council proceeded and examined a Witness, one *John Viccary*, upon the head of Bribery, who gave Evidence that *Thomas Wickland* had confessed to him that he had received half a Guinea for his Vote: Upon which the Sitting Member's

Member's Council insisted, that the said *Thomas Wickland* should be call'd in to confront the said *Vicary*,

And he was called in; and the said *Vicary* gave his Evidence before the said *Wickland*; upon which the Sitting Member's Council insisted, that the said *Wickland* should be examined in relation to the Discourse that the said *Vicary* alledged to have passed between them; which the Petitioner's Council opposed.

Resolved, That *Thomas Wickland* be examined in the Presence of *John Vicary* in relation to the Discourse that the said *Vicary* alledged passed between them two, relating to the Money said to be confessed to be given to the said *Wickland* by the Sitting Member for his Vote.

Resolved, That *Joseph Alloway*, having been charged to have been a Distributer of Bribes, be examined as a Witness in this Cause.

265.

Jovis, 20 die Martii, 1717.

Ordered, That Mr. *Speaker* do issue his Warrant to the Clerk of the Crown, to make out a new Writ for the electing a Burgess to serve in this present Parliament for the Port of *Dover*, in the room of
Matthew

Matthew Aylmer Esq; who, since his Election for the said Port, hath accepted the Office of Master of *Greenwich* Hospital for his Life.

266.

Mercurii, 10 die Decembris, 1718.

Resolved, That the Right of Election of Citizens to serve in Parliament for the City of *Litchfield*, is in the Bailiffs, Magistrates, Freeholders of forty Shillings *per Annum*, and all that hold by *Burgage* Tenure, and in such Freemen only of the said City as are enrolled, paying Scot and Lot there.

267.

Mercurii, 21 die Januarii, 1718.

Resolved, That *John Benfield*, Mayor of the Borough of *Corfe Castle* (in *Com. Dorset*) is guilty of divers arbitrary and illegal Practices in the late Election and Return of a Member to serve in this present Parliament for the said Borough, and of a Contempt in not obeying the Order of the Committee for producing the Charters of the said Borough in his Custody.

Resolved, That *William Dowdall*, late Mayor of the said Borough of *Corfe Castle*, is guilty of a Contempt in not obeying the

the Orders of the Committee, for producing the Charters of the said Borough in his Custody.

They were both ordered into Custody, &c. and so was David Toomer on the Saturday following, for arbitrary and illegal Practices at the Election of a Burgess for Shafton, alias Shaftesbury, in Com. Dorset.

268.

Mercurii, 2 die Martii, 1719.

Resolved, That the Right of Election of Members to serve in Parliament for the Borough of *Boston* in the County of *Lincoln*, is only in the Mayor, Aldermen, Common-Council, and Freemen of the said Borough, resident in the said Borough, and who pay Scot and Lot, such Freemen claiming their Freedom by Birth or Servitude.

269.

Martis, 17 die Maii, 1720.

Resolved, That that Part of the Parish called the *Holy Trinity*, alias *Dorchester Trinitatis*, which was formerly the Parish of *Froome Whitfield*, is no part of the Borough of *Dorchester* in the County of *Dorset*.

Resolved,

Resolved, That the Tithing of *Collington Row*, within the Parish of the *Holy Trinity*, alias *Dorchester Trinitatis*, is no part of the Borough of *Dorchester* in the County of *Dorset*.

270.

Mercurii, 18 die *Maii*, 1720.

Resolved, That the Right of electing Burgeſſes to ſerve in Parliament for the Borough of *Dorchester* in the County of *Dorset*, is in the Inhabitants of the ſaid Borough, paying to Church and Poor, in reſpect of their perſonal Eſtates; and in ſuch Perſons as pay to Church and Poor, in reſpect of their real Eſtates within the ſaid Borough.

And Thomas Pitman, the Mayor, was ordered into Cuſtody for illegal and arbitrary Practices at the Election.

271.

Lunæ, 3 die *Aprilis*, 1721.

Ordered, That Mr. *Speaker* do iſſue his Warrant to the Clerk of the Crown to make out a new Writ for the electing a Citizen to ſerve in this preſent Parliament for the City of *Carlisle*, in the County of *Cumberland*,

Cumberland, in the room of *Thomas Stan-*
wix Esq; who, since his Election for the
said City, hath accepted the Office of Go-
vernour of the Town of *Kingston upon Hull*.

272.

Martis, 6 die Junii, 1721.

Resolved, Nemine Contradicente, That the
Right of Election of Burgeſſes to ſerve
in Parliament for the Borough of *Bere-*
alſton in the County of *Devon*, is in the
Freehold Tenants of the ſaid Borough,
holding by Burgage-Tenure, and paying
three Pence *per Annum*, or more Ancient
Burgage-Rent to the Lord of the ſaid Bo-
rough, and in them only.

273.

The Houſe being acquainted, that an
Indenture of Return, ſigned by the Free-
hold Tenants of the ſaid Borough, had
been tendered to the Port-Reve of the ſaid
Borough, at the time of the Election, but
that he refus'd to accept the ſame; and
that one of the Perſons who had ſigned and
tendered the ſaid Indenture to the Port-
Reve, was at the Door :

The

The said Person was called in and examined, and deliver'd the said Indenture in to the Clerk of the House ; and the same was read at the Table.

And the Clerk of the Crown attending the House in his Place (according to Order) with the Return for the said Borough;

Ordered, That the Clerk of the Crown do take off from the Writ the Indenture, by which *Philip Cavendish Esq;* is returned to serve for the said Borough.

Ordered, That the Port-Reve of the said Borough of *Bere-alston*, do execute the Indenture of Return, signed by the Freehold Tenants of the said Borough, which was tendred to him at the time of the Election; and that, when the said Indenture is so executed, the Clerk of the Crown do receive the same, and annex it to the Writ directing the said Election.

274.

Veneris, 23 die Junii, 1721.

The House (according to Order) proceeded to hear the Matter, touching the Election for the Borough of *Whitchurch* in the County of *Southampton*; and the Counsel on both sides were called in, and the

the Petition of *John Conduit*, Esq; complaining of an undue Election and Return for the said Borough, was read.

And the Petitioner's Counsel producing a Copy of the Poll taken at the Election, which was delivered to the Petitioner's Agent by the Mayor of the said Borough as a Copy of the Poll; but was not examined with the Original Poll by the Person to whom the same was delivered by the Mayor.

The sitting Member's Counsel objected to the said Copy's being admitted as Evidence; and the Counsel of both Sides were heard thereupon; and then the Counsel were directed to withdraw.

Resolved, That the Papers offered by the Counsel for the Petitioner as a Copy of the Poll taken at the late Election of a Burgess for the Borough of *Whitchurch* in the County of *Southampton*, which was delivered to the Petitioner's Agent by the Mayor of the said Borough, as a Copy of the Poll taken at the said Election, be admitted as Evidence.

275.

Lunæ, 8 die Januarii, 1721.

A Petition of *John Thomas* and *John Floyde*, Constables of the Borough of
N *Minehead*

Minehead in the County of *Somerset*, was presented to the House and read, setting forth, that they are the proper Officers to whom the Precept for electing Burgesses to serve in Parliament for the said Borough ought to be delivered, and to whom the Execution of such Precept doth belong; but that at the late Election of a Burgess to serve in Parliament for the said Borough, the High Sheriff caused the Precept to be delivered to *John Viccary* and *Joseph Sherry*, and hath accepted a Return from them, and transmitted the same to the Clerk of the Crown, in defiance of the Resolution of this House (of the thirteenth of *June 1717*) and did refuse to accept a Return from the Petitioners, though tendered to him by one of the Petitioners in Person; and praying the House to take the Premises into Consideration, and give such Relief as they shall think proper.

The Journal of the House, of the said thirteenth Day of *June 1717*, relating to the Right of returning Members to serve in Parliament for the said Borough, was read.

Ordered, That the Clerk of the Crown do attend this House to-morrow Morning with the Return of a Burgess to serve in Parliament for the Borough of *Minehead* in

in the County of *Somerset*, in the room of *James Milner Esq*; deceased.

The House being informed, that *John Thomas* and *John Floyde* (the Petitioners) were attending at the Door with the Return by them tendred to the High Sheriff of the County of *Somerset*.

Ordered, That *John Thomas* and *John Floyde* (Constables of the Borough of *Minehead* in the County of *Somerset*) do attend this House to-morrow Morning, with the Return which was by them tendred to the High Sheriff of the County of *Somerset*.

276.

Martis, 9 die Januarii, 1721.

The Clerk of the Crown attending (according to Order) with the Return of a Burgefs to serve in this present Parliament for the Borough of *Minehead*, in the County of *Somerset*, in the room of *James Milner Esq*; deceased, the said Return was read, which was signed by several of the Burgeffes of the said Borough; and also the Precept of the Sheriff, directed to the Burgeffes, and Electors of the said Borough of *Minehead* was read; but there was not any Indorsement on the back of the said Precept.

N 2

And

And *John Thomas* and *John Floyde*, Constables of the said Borough were called in and examined, and then they withdrew.

And a Witness was examined, who delivered in the Court-Rolls of the Manor and Borough of *Minehead*, at a Court held *October* the Nineteenth 1721, where the Constables for the said Borough were appointed, and so much of the said Rolls as related to the appointing of Constables was read.

And then *John Thomas* and *John Floyde*, Constables of the said Borough were called in, and at the Bar delivered in the Indenture of Return, which was by them tendered to the High Sheriff of the County of *Somerset*, after the late Election of a Burgess to serve in this present Parliament for the said Borough. And then they withdrew.

And the said Indenture was read.

And the Resolution of the House of the Thirteenth of *June* 1717, by which it was resolved, that the Constables of *Minehead* are the proper Officers to whom the Precept for electing Burgesses to serve in Parliament for the said Borough ought to be delivered, and to whom the Execution of such Precept doth belong, was read.

Ordered, That the Clerk of the Crown do take off from the File the Indenture
signed

signed by *John Viccary*, and *Joseph Sherry*, and other Burgesses of the Borough of *Minehead* in the County of *Somerset*, the same not being signed by the Constables of the said Borough.

Ordered, That the Clerk of the Crown do receive and annex to the Writ, for the electing of a Burgess for the said Borough, the Indenture delivered into this House by the Constables of the said Borough, which was signed by them, and tendered to the High Sheriff of the County of *Somerset*.

277.

Resolved, That *John Viccary*, and *Joseph Sherry*, having presumed to act as the Returning Officer at the late Election of a Burgess to serve in Parliament for the Borough of *Minehead* in the County of *Somerset*, in Defiance of the Resolution of this House, are guilty of a high Crime and Misdemeanor.

They were ordered into Custody; and the High-Sheriff, and Under-Sheriff of the County were ordered to attend.

278.

Jovis, 11 die *Januarii*, 1721.

Resolved, That *John Fox* being employed to carry the Writ for the late Election of

a Burgess to serve in Parliament for the Borough of *Minehead*, to the High-Sheriff of the County of *Somerset*, has been guilty of a Breach of Trust in delivering the same to a Candidate.

Ordered, That the said *John Fox* be, for the said Offence, taken into the Custody of the Serjeant at Arms attending this House.

279.

Jovis, 18 die *Januarii*, 1721.

A Motion being made, &c. that *John Wills*, Esq; is guilty of a Crime, in having caused the Writ, for the late Election of a Burgess to serve in Parliament for the Borough of *Minehead* in the County of *Somerset*, to be delivered to a Candidate;

It passed in the Negative.

280.

A Motion being made, and the Question being put, that Sir *Richard Lane*, Knight, being a Candidate at the late Election of a Burgess to serve in this present Parliament, for the Borough of *Minehead*, in the County of *Somerset*, is guilty of a Crime in receiving and detaining the Writ directed to the Sheriff for the said Election;

It passed in the Negative.

281.

Martis, 23 die Octobris, 1722.

The House being informed by two of their Members, that they did see *Alexander Baillie*, whom they knew to be the common Clerk of *Inverness* (the presiding Burgh of the District) sign and seal an Indenture of Return of *Duncan Forbes, Esq;* and that one of the said Members did see the said common Clerk tender the same to the Sheriff-depute of the Shire of *Inverness*; and that the said Sheriff refused to accept the same: The said Indenture of Return was delivered in at the Table, where the same was read.

Resolved, Nemine Contradicente, That the Clerk of the Crown do take off the File the Return signed by Hugh Baillie, the same not being signed by the common Clerk of Inverness, being the presiding Borough at the last Election of a Burgess of the District of Boroughs of Inverness, Nairn, Forres, and Fortrose.

Ordered, That the Clerk of the Crown do annex to the Writ, the Return signed by Alexander Baillie, the common Clerk of Inverness, the presiding Burgh of the said District of Burghs.

Robert Gordon the Sheriff-depute, and Hugh Baillie, order'd to attend.

282.

Ordered, That Alexander Gordon of Ardoch, Esq; be at liberty to petition this House, touching the Election for the District of Burghs of Inverness, Nairn, Forres, and Fortrose, within fourteen Days next, if he thinks fit.

283.

The like Orders were made on Thursday the 25th of the same Month concerning an undue Return for the District of Burghs of Inverbervy, Aberdeen, Montrose, Brichen, and Aberbrothick; the Borough of Inverbervy being the presiding Borough.

284.

And on the 27th of the same Month, the like Orders were made concerning an undue Return for the Burghs of Dysart, Burnt-Island, Kirkaldie, and Kinghorn; the Burgh of Dysart being the presiding Burgh.

285.

*And on the same Day the like, concerning an undue Return for the District of Burghs,
of*

of Kilrenny, Anstruther-Wester, Anstruther-Easter, Pittenweem, and Crail; Kilrenny being the presiding Burgh.

286.

And on the same Day the like, concerning, &c. Forfar, Perth, Dundee, St. Andrews, and Coupar; Forfar being the presiding Burgh.

287.

Martis, 6 die Novembris, 1722.

Resolved, That it appears to this House, that there were notorious and outrageous Riots and Tumults at the late Election of Citizens to serve in Parliament for the City of *Westminster*, in Defiance of the Laws of this Realm, and in Violation of the Freedom of Elections.

Then the Question being put, that *Archibald Hutcheson*, Esq; is duly elected a Citizen to serve in this present Parliament for the City of *Westminster*,

It passed in the Negative.

The Question being put, that *John Cotton*, Esq, is duly elected a Citizen to serve in this present Parliament for the City of *Westminster*,

It passed in the Negative.

Resolved,

Resolved, That the late Election of Citizens to serve in Parliament for the City of *Westminster*, is a void Election.

288.

Lunæ, 19 die Novembris, 1722.

Resolved, That the sitting Members Counsel be admitted to give evidence touching the Qualification of such Persons as have a Right to Vote in the Elections of Citizens to serve in Parliament for the City of *Coventry*.

289.

Martis, 20 die Novembris, 1722.

Resolved, That the Right of Election of Citizens to serve in Parliament for the City of *Coventry*, is in such Freemen as have served seven Years Apprenticeship to one and the same Trade in the said City or the Suburbs thereof, and do not receive Alms or weekly Charity, such Freemen being duly sworn and enrolled.

290.

Resolved, That it appears to this House, that there were notorious and outrageous Riots, Tumults, and Seditions, at the late Election

Election of Citizens to serve in Parliament for the City of *Coventry*, in Defiance of the Civil Authority, and in Violation of the Freedom of Elections, caused by the Agents and Friends of the Petitioners, who were the Authors Contrivers, and Promoters of the said Riots, Tumults, and Seditions.

The Question being put, that Sir *Adolphus Oughton*, Knt. and Bart. is duly elected a Citizen to serve in this present Parliament for the City of *Coventry*,

It passed in the Negative.

The Question being put, that *John Neale*, Esq; is duly elected a Citizen to serve in this present Parliament for the City of *Coventry*,

It passed in the Negative.

Resolved, That the late Election of Citizens to serve in Parliament for the City of *Coventry* is a void Election.

291.

Resolved, That it appears to this House that *Charles Buggs* was one of the principal Contrivers and Promoters of the Riots, Tumults, and Seditions of the late Election of Citizens to serve in Parliament for the City of *Coventry*.

And

And Charles Buggs was ordered into Custody.

The Like Votes and Orders severally upon George Newcombe, William Wells, Sir Thomas Grey, Knight, Mr. Thomas Kimberley, Mr. Thomas Wright, Mr. George Aldridge, and Benjamin Holden.

292.

Mercurii, 21 die Novembris, 1721.

The standing Order of the 18th Day of February 1707, was read, viz.

Mercurii, 18 die Februarii, Anno 6 Annæ Reginae.

Resolved, That all Petitions upon every new Parliament relating to Elections and Returns be delivered to the Clerk of this House, and be laid by him upon the Table, before the Speaker be chosen.

Ordered, That the said Order be discharged from being one of the standing Orders of this House.

293.

Martis, 27 die Novembris, 1722.

Resolved, Nemine Contradicente, That the Right of Election of Burgeses to serve in Par-

Parliament for the Borough of *Stafford* in the County of *Stafford*, is in the Mayor, Aldermen, and Burgesſes reſiant within the ſaid Borough.

294.

Veneris, 18 die Januarii, 1722.

Hugh Baillie, and ſeveral others of Scotland, who, on the 23d of October were ordered to attend for acting as Returning-Officers, &c. were now ordered into Cuſtody; as was alſo the Sheriff-depute for the Shire of Fife, for accepting and returning an Indenture of Return not made by the proper Officer of the Diſtrict of Burghs.

295.

Mercurii, 23 die Januarii, 1722.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Tamworth*, is in the Inhabitants, being Houſholders, paying Scot and Lot, and not receiving Alms.

296.

Jovis, 31 die Januarii, 1722.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Bo-
O rough

[158]

rough of *Warwick*, is in such Persons only as pay to Church and Poor in the said Borough.

297.

Lunæ, 25 die Februarii, 1722.

Resolved, That the Right of electing a Commissioner to serve in Parliament for the Shire of *Sutherland*, is in the Heritors, Fewars, Wadsetters, and Life-Renters, possessed of Lands in the said Shire, whether holding of the Crown, or of a Subject.

298.

Martis, 9 die Aprilis, 1723.

Resolved, That the Right of Election of Burgeses to serve in Parliament for the Borough of *Shrewsbury*, in the County of *Salop*, is only in the Burgeses inhabiting in the said Borough, or in the Suburbs thereof, paying Scot and Lot, and not receiving Alms or Charity.

Resolved, That the whole Parishes of *St. Chad*, *St. Mary*, *St. Alkmond*, *St. Julian*, the *Holy-Cross*, and *St. Giles*, and the several Vills of *Hadnall*, *Aston-Reynold*, *Meriden*, *Hanwood*, *Grinsell*, *Ollerton*, *Onslow*, *Preston*, *Gubald*, *Pimley*, and *Merival*, are not

not within the Borough of *Shrewsbury*, or the Suburbs thereof.

Resolved, That the several Villis of *Bicton*, *Betton*, *Alkmear*, *Longwar*, *Calcot*, *Whitley*, *Whelback*, *Upper and Lower Rossal*, *Shelton Oxon*, *Woodcot*, *Horton*, *Munkmeal*, and *Goosehil*, in the Parish of *St. Chad's*; *Great and Little Berwick*, *Almond-Park*, *Newton*, *Albright-Husley*, *Cotton-Hill*, *Leaton*, *Asley*, *Merrington*, *Wollascot*, *Sansaw*, and *Clive*, in the Parish of *St. Mary*, *Hen-cot*, *Albright-Lee*, *Preston-Montford*, *Dintle*, and *Arlescot*, in the Parish of *St. Alkmond*; and *Pully* and *Shelton* in the Parish of *St. Julian*; are not Part of the ancient Borough of *Shrewsbury*, or the Suburbs thereof.

Resolved, That the Parish of *Holy-Cross* and *St. Giles* is not Part of the ancient Borough of *Shrewsbury*, or the Suburbs thereof.

299.

Jovis, 2 die Maii, 1723.

Resolved, That the Right of Election of Citizens to serve in Parliament for the City of *Wells*, in the County of *Somerset*, is in the Mayor, Masters, and Burgeſſes of the ſaid City, and in ſuch Perſons as are (by Conſent of the Mayor and Common-

Council of the said City) admitted to their Freedom in any of the seven trading Companies of the said City, on account of Birth, Servitude, or Marriage.

300.

Martis, 25 die Februarii, 1723.

Resolved, That the Right of Election of Burgeses to serve in Parliament for the Borough of *Calne*, in the County of *Wilts*, is in the ancient Burgeses of the said Borough only.

301.

Resolved, That the Right of returning Burgeses to serve in Parliament for the Borough of *Calne*, in the County of *Wilts*, is in the Guild-Stewards of the said Borough.

302.

Martis, 17 die Martii, 1723.

Resolved, That the Right of Election of Burgeses to serve in Parliament for the Borough of *Dunbeved* alias *Launceston*, in the County of *Cornwall*, is in the Mayor, Aldermen, and Freemen, being Inhabitants
at

at the time they were made free, and not receiving Pay of the Parish.

303.

Veneris, 18 die Decembris, 1724.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Honiton* in the County of *Devon*, is in the Inhabitants, Houſekeepers within the ſaid Borough, commonly called *Pot-Wallers*, not receiving Alms of the Pariſh.

304.

Sabbati, 23 die Januarii, 1724.

Resolved, *Nemine contradicente*, That any Conveyance of undivided Shares of the Superiority of any Lands in the Shire of *Dumbarton*, in order to multiply Votes, or ſplit an Intereſt in ſuch Superiority amongſt ſeveral Perſons, with a view to enable them to vote, is contrary to the Act of Parliament made in *Scotland* in 1681, intituled, *An Act concerning the Election of Commiſſioners for Shires*.

Resolved, *Nemine contradicente*, That no Perſon claiming a Right by Purchase to an undivided Part of the Superiority of any Lands where the Extent of the Lands, of

which he claims the Superiority, is not particularly specified, and the Land distinguished by the Charter by which he claims a Vote, has any Right to vote in the Election of a Commissioner to serve in Parliament for the Shire of *Dumbar-ton*.

305.

Jovis, 4 die Februarii, 1724.

The House proceeded (according to Order) to take into Consideration the Matter of the Complaint (made to the House the 23d Day of *January* last) that there had been some undue Practices in relation to the compromising the Election for the Borough of *Stafford*, before the Merits of the said Election were heard before the Committee of Privileges and Elections;

And several Witnesses were called in and examined at the Bar; and then they withdrew.

Resolved, That it appears to this House, that divers indirect and corrupt Practices have been used in order to compromise the Election for the Borough of *Stafford*, before the same was heard before the Committee of Privileges and Elections.

Resolved,

Resolved, Nemine contradicente, That it appears to this House, that *Francis Elde*, Esq; (a Member of this House) has been guilty of the said indirect and corrupt Practices, highly reflecting upon the Honour and Justice of Parliament.

Resolved, Nemine contradicente, That the said *Francis Elde* Esq; (a Member of this House) be, for his said Offence, expelled this House.

306.

Resolved, That Persons made Burgeses of the Borough of *Stafford* in the County of *Stafford*, since the Death of *John Dolphin* Esq; late Member of Parliament for the said Borough (not being Sons of Burgeses, or not having served seven Years Apprenticeship within the said Borough) had not a Right to vote in the late Election of a Burgess to serve in this present Parliament for the said Borough.

307.

Jovis, 17 die Martii, 1725.

Resolved, Nemine contradicente, That it appears to this House, that in an Entry of Burgeses made at the Borough of *Chepping-Wicombe*

ping-Wicombe in the County of *Bucks*, dated he 20th of *May* 1717, there has been an Erasure lately made, and the Name of Captain *Pyet* inserted, without any legal Authority.

Resolved, Nemine contradicente, That it appears to this House, that in an Entry of Burgeses made at the said Borough of *Cheping-Wicombe*, dated the 26th of *September* 1723, an Erasure has been lately made, whereby the Name of *David Shilfore*, a Burgess of the said Borough, is erased.

308.

Resolved, Nemine contradicente, That *Sampson Tresley* and *John Widiner*, who were admitted to vote at the late Election of a Burgess to serve in this present Parliament for the said Borough of *Cheping-Wicombe* (having no Pretence to be Burgeses of the said Borough, but under a Charter of King *James* the Second, which was never accepted or enrolled) have no Right of voting in Elections of Burgeses to serve in Parliament for the said Borough.

309. *Resolved*,

Resolved, Nemine contradicente, That it appears to this House, that Mr *Richard Shrimpton*, Mayor of the Borough of *Cheping-Wicombe* in the County of *Bucks*, has been guilty of divers arbitrary, illegal, and partial Proceedings at the late Election of a Burgeſs to ſerve in this preſent Parliament for the ſaid Borough of *Cheping-Wicombe*, in violation of the Freedom of Elections of Members to ſerve in Parliament.

Ordered, That the ſaid *Richard Shrimpton* be, for the ſaid Offences, committed Priſoner to the Priſon of *Newgate*; and that Mr. *Speaker* do iſſue his Warrants accordingly.

Resolved, That *Edward Maſhal* having preſumed to read the Proclamation againſt Riots, while the Burgeſſes of the Borough of *Cheping-Wicombe* in the County of *Bucks* were legally aſſembled, by virtue of his Maſteſty's Writ for the electing a Burgeſs to ſerve in this preſent Parliament for the ſaid Borough, without having ſufficient Authority ſo to do, is guilty of an
high

high Infringement of the Freedom of Elections.

Ordered, That the said *Edward Marshall* be, for the said Offence, taken into the Custody of the Serjeant at Arms attending this House.

311.

Martis, 9 die Maii; 1727.

Mr. *Gibbon* (according to Order) reported from the Committee——

And the Resolutions of the Committee are as follow, *viz.*

Resolved, That it is the Opinion of this Committee, that the Right of Election of Burgesses to serve in Parliament for the Borough of *Petersfield* in the County of *Southampton*, is in the Freeholders of Lands or ancient Dwelling-Houses or Shambles, or Dwelling-Houses or Shambles built upon ancient Foundations within the said Borough.

Resolved, That it is the Opinion of this Committee, that *Joseph Taylor Esq;* is duly elected a Burgess to serve in this present Parliament for the Borough of *Petersfield* in the County of *Southampton*.

The first Resolution being read a Second time, was agreed unto by the House.

The other Resolution being read a Second time,

And the Question being put, that the House do agree with the Committee in the said Resolution,

It passed in the Negative.

312.

Then a Motion being made, and the Question being proposed, That *Edmund Miller*, Serjeant at Law, is duly elected a Burgess to serve in this present Parliament for the Borough of *Petersfield* in the County of *Southampton*,

The 19th Article of the Act, *Quinto Annæ*, for an Union of the two Kingdoms of *England* and *Scotland*, was read; and the Act, *Sexto Annæ*, for settling and establishing a Court of *Exchequer* in the North Part of *Great Britain* called *Scotland*, was also read;

And a Debate, &c.

Resolved, That *Edmund Miller*, Serjeant at Law, is duly elected a Burgess to serve in this present Parliament for the Borough of *Petersfield* in the County of *Southampton*.

Martis, 27 die Februarii, 1727.

The House being acquainted that *Alexander Luttrell* and *Francis Whitworth*, Esqs; (sitting Members for the Borough of *Minehead* in the County of *Somerset*) did on the Seventh Day of *February* instant, (pursuant to the standing Order of the House of the Twenty-first Day of *November* 1717) leave with the Clerk of this House their Demand in Writing of the Qualification of *George Grove*, Esq; one of the Petitioners, complaining of an undue Election and Return for the said Borough; and that the said Mr. *Grove* had not delivered in to the Clerk any Paper of his Qualification, pursuant to the said standing Order.

The Demand of the said Qualification, and also the said standing Order of the House were read.

And the Clerk of the House being called upon, acquainted the House, that he had not received any particular of Mr. *Grove's* Qualification.

Ordered, That the Committee of Privileges and Elections be discharged from proceeding upon so much of the Petition of Sir *William Codrington*, Bart. and *George Grove*,

Grove, Esq; (complaining of an undue Election and Return for the Borough of Minehead in the County of Somerset) as relates to the said George Grove, Esq; he having neglected to comply with the standing Order of this House, whereby he is required to deliver in his Qualification to the Clerk of this House within Fifteen Days after demand thereof.

314.

Jovis, 7 die Martii, 1727.

Ordered, That the approved Men and Burgeses of the Borough of Andover (in Com. Southampton) who have petitioned this House, complaining of an undue Election and Return for the said Borough, and that their Votes were refused by the Bailiff, be at Liberty to withdraw their said Petition.

315.

Sabbati, 9 die Martii, 1727.

Resolved, That the Right of Election of Burgeses to serve in Parliament for the Borough of Richmond in the County of York, is in such Persons only as are Owners of Ancient Burgages in the said Borough; having

P

ing

ing a Right of Pasture in a Common Field called *Wbyycliffe-Pasture*.

316.

Lunæ, 18 die Martii, 1727.

Resolved, That in all Cases on double Returns, where the same shall be Controverted, either at the Bar of this House, or in Committees of Privileges and Elections, the Council for such Person who shall be first named in such double Return, or whose Return shall be immediately annexed to the Writ or Precept, shall proceed in the first Place.

Ordered, and declared, That the said Order be a standing Order of the House.

317.

Martis, 19 die Martii, 1727.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Borough of *Carmarthen* is in the Burgesses of the said Borough.

318.

Sabbati, 23 die Martii, 1727.

Resolved, That the Execution of the Writ for electing a Burgess to serve in Parliament

liament for the County-Borough of *Cardiff*, and the making a Return thereof, are in the two Sheriffs of the said Borough jointly.

319.

Martis, 9 die Aprilis, 1728.

Resolved, That the Execution of the Precept for electing Citizens to serve in Parliament for the City of *Peterborough*, in the County of *Northampton*, and the making the Return thereof, are in the Bailiff of the said City appointed by the Dean and Chapter of the Cathedral Church of *Peterborough*.

320.

Veneris, 12 die Aprilis, 1728.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Borough of *Hindon*, in the County of *Wilts*, is in the Inhabitants of Houses within the said Borough, being House-keepers and Parishioners, not receiving Alms.

P 2

321. *Martis,*

321.

Martis, 16 die Aprilis, 1728.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Shire-Town of *Montgomery*, is in the Burgeſſes of the ſaid Shire-Town only.

322.

Lunæ, 13 die Maii, 1728.

Resolved, That the Right of electing Citizens to ſerve in Parliament for the City of *Peterborough*, in the County of *Northampton*, is in the Inhabitants within the Precincts of the Minſter there, being Houſholders not receiving Alms, and in other the Inhabitants within the ſaid City paying Scot and Lot.

323.

Martis, 24 die Maii, 1728.

Resolved, That the Right of Election of a Burgeſſ to ſerve in Parliament for the Town of *Flint*, in the County of *Flint*, is in the Inhabitants of the Boroughs of *Flint*, *Rhydlan*, *Overton*, *Caerways*, and *Caergurley*, paying Scot and Lot.

Resolved,

[173]

Resolved, That the Inhabitants of *Knolton* and *Overton-Foreign*, paying Scot and Lot in the Parish of *Overton*, have a Right to vote in the Election of a Burgess to serve in Parliament for the Town of *Flint*.

324.

Sabbati, 8 die Martii, 1728.

Resolved, *Nemine contradicente*, That the Agents for *Ellerker Bradshaw*, Esq; have been guilty of notorious and scandalous Bribery and Corruption, in order to procure the said Mr. *Bradshaw* to be elected a Burgess to serve in this present Parliament for the Borough of *Beverley* (in *Com. Ebor.*)

Ordered, That *John Eleanor*, one of the said Agents, be, for his said Offence, committed Prisoner to his Majesty's Goal of *Newgate*; and that Mr. *Speaker* do issue his Warrant accordingly.

The like Orders upon Three others of the said Agents.

325.

Mercurii, 26 die Martii, 1729.

Resolved, That the Right of Election of Burgesses to serve in Parliament for the Bo-

P 3

rough

rough of *Great Bedwin*, in the County of *Wilts*, is in the Freeholders and Inhabitants of ancient Burgage-Messuages.

326.

Jovis, 17 die *Aprilis*, 1729.

Resolved, That the Right of admitting Burgesſes of the Borough of *Queenborough*, in the County of *Kent*, is in the Mayor, Jurats, and Bailiffs of the said Borough only.

327.

Veneris, 18 die *Aprilis*, 1729.

Resolved, That the Right of electing of Citizens to serve in Parliament for the City of *Wells* in the County of *Somerſet*, is in the Mayor, Maſters, Burgeſſes and Free-men of the said City, who are admitted to their Freedom in any of the Seven Companies within the said City, being thereunto intitled by Birth, Servitude, or Marriage.

328. *Martii*,

Martis, 22 die Aprilis, 1729.

Resolved, That the Right of Election of Burgeſſes to ſerve in Parliament for the Borough of *Newtowne* in the Iſle of *Wight*, in the County of *Southampton*, is in the Mayor and Burgeſſes of the ſaid Borough, having Borough-Lands within the ſaid Borough.

Mercurii, 3 die Martii, 1729.

The Petition of the Major Part of the Burgeſſes of the ſaid Borough of *Beaumaris* (in *Com. Angleſey*), and alſo the Petition of the Burgeſſes of the Borough of *Newburgh* in the ſaid County of *Angleſey*, were read; and the Counſel were heard.

And it being objected that the ſaid Petition of the Burgeſſes of the Borough of *Newburgh*, was ſigned by ſome Perſons who had not ſigned the former Petitions, preſented in this Parliament, and that the Names of ſome of the Petitioners were not written or Marks made by the Perſons themſelves, the Counſel were directed to withdraw.

And

And the Resolution of the House the 14th of *November* 1689 (that all Petitions presented to the House ought to be signed by the Petitioners, with their own Hands, by their Names or Marks) was read; and

The Journal of the 6th of *April* 1714 (in the Case of the Petition, touching the Election for the Borough of *Wigan*, in the County of *Lancaster*) was read.

Ordered, That the Counsel be called in, and be directed by Mr. *Speaker*; to proceed only upon the Matter of the Petition of the major Part of the Burgeses of the Borough of *Beaumaris*.

330.

Resolved, That the Right of electing a Burgess to serve in Parliament for the Borough of *Beaumaris*, in the County of *Anglesey*, is in the Mayor, Bailiffs, and Capital Burgeses only of the said Borough of *Beaumaris*.

331.

Jovis, 5 die Martii, 1729.

The Right of Election (for the Borough of *Liverpool*, in the County Palatine of *Lancaster*) was agreed, by the Counsel on both sides,

sides, to be in the Mayor, Bailiffs, and Freemen of the said Borough, not receiving Alms.

332.

The Petitioner's Counsel proceeded to give Evidence, touching Neglects and Refusals by the Mayors (for three Years last) to hold Common-Councils (in order to the admitting Freemen) according to the Ancient Usage of the Borough, and they produced one of the Record Books of the Borough, and an Entry therein of an Order made, at an Assembly held the first Day of May 1679, (appointing the first *Wednesday* in every Month to be a Council-day) was read; and several Witnesses were examined, as to the frequent callings of Common-Councils formerly, and as to the Usage observed in admitting of Freemen, and also as to undue Proceedings of the Mayor at the last Election; and his withdrawing himself from the Place of Polling before he had taken the Votes of several Persons who claimed to be admitted to Vote for the Petitioner. And

Henry Orme being called, and examined, and producing a List taken by him, of divers Persons who gave their Votes for the
Petitioner,

Petitioner, after the Mayor had left the Place of Polling;

Resolved, That the Papers produced by Henry Orme, containing a List taken by him of Persons who voted for the Petitioner, after the Mayor had left the Place of Polling, be admitted as Evidence of such Persons voting.

333.

Martis, 24 die Martii, 1729.

Liverpool.

Resolved, That Mr. Richard Houghton be admitted to give Evidence of Persons having declared to him, that they would have voted for the Sitting Member, if any who were not sworn Freemen had been allowed to Vote.

334.

Jovis, 7 die Maii, 1730.

Resolved, That Richard Lloyde, Esq; did not wilfully refuse to take an Oath of his Qualification, at the Election of a Burges to serve in this present Parliament, for the Town of Cardigan in the County of Cardigan, he not being thereunto legally required.

335. *Resolved*,

335.

Resolved, That the Burgesſes of the Borough of *Tregaron* have not a Right to Vote in the Election of a Burgeſs to ſerve in Parliament, for the Town of *Cardigan*.

336.

Resolved, That the Right of Election of a Burgeſs to ſerve in Parliament for the Town of *Cardigan*, in the County of *Cardigan*, is in the Burgeſſes at large of the Boroughs of *Cardigan*, *Aberystwith*, *Lampeter* and *Atpar* only.

337.

Veneris, 11 die Maii, 1733.

Mr. *Earle* (according to Order) reported, &c. the Election and Return for the County of *Peebles*, &c.

Resolved, That it is the Opinion of this Committee, that the Right of Election of a *Præſes* and Clerk, is in ſuch Perſons, as ſtand upon the Roll laſt made up by the Freeholders at the *Michaelmas* Head-Court, or at the laſt Election of a Member to ſerve in Parliament.

Here

Here follow Four other Resolutions, who were duly elected Præses, and Clerk, and who was duly returned, and duly elected Commissioner for the said Shire.

The first Resolution of the Committee being read a Second time ;

Part of an Act of the Parliament of Scotland made September 17, 1681, (Intituled, *Act concerning the Election of Commissioners for Shires,*) was read.

And the third Section of an Act made in the twelfth Year of the Reign of Queen Anne (Intituled, *An Act for the better regulating the Elections of Members to serve in Parliament for that Part of Great-Britain called Scotland*) was also read ;

Then the said Resolution was agreed to by the House.

338.

Sabbati, 9 die Junii, 1733.

The House being informed, that Lieutenant-General *Wade*, (a Member of this House) hath, since his Election to serve in this present Parliament for the City of *Bath*, in the County of *Somerset*, accepted of the Office of Governour of *Fort-William*, *Fort-Augustus*, and *Fort-George*, in that Part of *Great-Britain* called *Scotland* ;
and

and the Opinion of the House being desired, whether by the Acceptance of the said Office his Seat in Parliament became void;

And the 29th Section of the Act made in the fourth Year of the Reign of Queen *Anne*, Intituled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession to the Crown of England in the Protestant Line*, being read;

The Journal of the House of the 28th Day of *February* in the seventh Year of the Reign of Queen *Anne*, in relation to the making out a new Writ for the electing a Burgess to serve in Parliament for the Borough of *Arundel* in the County of *Sussex*:

And the Journal of the House of the 17th Day of *February* in the ninth Year of the Reign of Queen *Anne*, in relation to the making out a new Writ for the electing a Knight to serve in Parliament for the County of *Northumberland*:

And the Journal of the House of the first Day of *February*, in the tenth Year of the Reign of Queen *Anne*, in relation to the making out a new Writ for the electing a Burgess to serve in Parliament for the Borough of *Camelford* in the County of *Cornwall*:

And the Journal of the House of the 25th Day of *April* in the first Year of the Reign of his late Majesty King *George* the First, in relation to the making out a new Writ for the electing a Commissioner for the Shire of *Renfrew*:

And the Journal of the House of the third Day of *April* in the 7th Year of the Reign of his said late Majesty, in relation to the Proceedings of the House in the Case of Brigadier-General *Stanwix*, a Member of this House:

And the Journal of the House of the 18th Day of *January* last, in the present Session of Parliament, in relation to the making out a new Writ for the electing a Burgess to serve in this present Parliament for *Northampton* in the County of *Northampton*:

And the Journal of the House of the 22d Day of *January* last, in the present Session of Parliament, in relation to the making out a new Writ for the electing a Citizen to serve in Parliament for the City of *Bath*, in the County of *Somerset*, were read.

And a Motion being made, and the Question being put, That the accepting a Commission of Governor, or Lieutenant-Governor of any Fort, Citadel or Garrison upon the military Establishment of his Majesty's

jeſty's Guards and Garrifons in *Great-Bri-
tain*, by any Member of this Houſe, being
an Officer in the Army, does vacate the
Seat of ſuch Member in this Houſe;

It paſſed in the Negative.

339.

Mercurii, 13 die Junii, 1733.

Ordered, That Mr. *Speaker* do iſſue his
Warrant to the Clerk of the Crown, to
make out a new Writ for the electing a
Burgeſs to ſerve in this preſent Parliament
for the Borough of *Andover*, in the County
of *Southampton*, in the room of the honou-
rable *James Brudenell, Eſq;* who ſince his
Election for the ſaid Borough hath accepted
the Office of one of the Grooms of his Ma-
jeſty's Bed-chamber.

C H A P. I.

*Of Elections in General, and of
Bribery.*

Elections of Members of Parliament ought to be free. *So declared by the Bill of Rights. Stat. 1 W. & M. Sess. 2. c. 2. and often before by Parliament.* And the Nominations claimed by the Lord Warden of the Cinque-Ports, of one Person to be elected for each Port or Town is declared contray to Law, by *Stat. 2 W. & M. c. 7.* And by *Stat. 5. W. & M. c. 20.* no Person concerned in managing the Excise shall in any manner endeavour to persuade or dissuade any Elector about giving his Vote, on penalty of 100 *l.* and perpetual Incapacity of any Office or Place of Trust under the Crown. And by *Stat. 12, & 13. W. 3. c. 10.* the like Penalty is inflicted on Persons employed in the Customs, for the like Offence. No Candidate, after the *Teste* of the Writ, or after any Place becomes vacant, shall, by himself or any other Means on his Behalf, or at his Charge, before his Election directly or indirectly give, present, or allow to any Person having a Vote, any Money, Meat, Drink, Entertainment, or Provision, or make any Present, Gift, Reward, or Entertainment

tainment, or make any Promise, Agreement, Obligation, or Engagement to give or allow any Money, Meat, Drink, Provision, Present, Reward, or Entertainment, to or for any Person in particular, or to any County, City, &c. in general, for the Use, Advantage, Benefit, Employment, Profit, or Preferment, of such Person or Place, in order to be elected.

And every Person so giving, presenting, or allowing, making, promising, or engaging, doing, acting, or proceeding, is disabled, upon such Election, to serve in Parliament for such County, City, &c. and shall not act, sit, or vote, but shall be as if never return'd. *Stat. 7. W. 3. c. 4.*

Every Voter, before he is admitted to Poll, on demand of one Candidate, or any two Electors, shall swear as follows ; *I A. B. do swear, (or being a Quaker, I A. B. do solemnly affirm) I have not received, or had, by myself, or any Person in trust for me, or for my Use and Benefit directly or indirectly, any Sum or Sums of Money, Office, Place, or Employment, Gift, or Reward, or any Promise or Security, for any Money, Office, Employment, or Gift, in order to give my Vote at this Election, and that I have not before been polled at this Election.* And the Returning Officer is to administer the said Oath or Affirmation, *Gratis*, if demanded,

on pain of fifty Pounds to him that will sue for the same, with full Costs. And if he admits any Person to be polled without taking such Oath or Affirmation if demanded, he forfeits 100*l.* with full Costs; and such Voter incurs the same Penalty. And by the same *Statute* 2 G. 2. c. 24. the Returning Officer immediately after the Reading the Writ or Precept, shall take and subscribe the following Oath; *I A.B. do solemnly swear, that I have not, directly nor indirectly, received any Sum or Sums of Money, Office, Place, or Employment, Gratuity, or Reward, or any Bond, Bill, or Note, or any Promise or Gratuity whatsoever; either by myself or any other Person to my Use, or Benefit, or Advantage, for making any Return at the present Election of Members to serve in Parliament; and that I will return such Person or Persons, as shall, to the best of my Judgment, appear to me to have the Majority of legal Votes.* The said Oath to be administered by any Justice of Peace of the County, City, &c. where the Election is, or in his Absence by any three Electors, and to be entered among the Records of the Sessions of such County, &c. And if any Officer, Elector, or Person taking the said Oath or Affirmation, shall be guilty of wilful and corrupt Perjury or false affirming, he shall suffer as for corrupt

rupt Perjury. No Person convicted of wilful and corrupt Perjury, or Subornation, shall be capable of Voting. If any Person claiming a Right to vote, shall ask, receive, or take any Money or other Reward, by way of Gift, Loan, or other Device, or agree and contract for any Money, Gift, Office, Employment, or other Reward whatsoever, to give his Vote, or to refuse or forbear to give his Vote; or if any by himself, or any employed by him, shall by any Gift, Reward, Promise, Agreement, or Security for any Gift or Reward, corrupt or procure any Person to vote or forbear voting, the Offender forfeits 500 *l.* with full Costs, and every Offender in the Cases aforesaid, after Judgment against him, or other lawful Conviction, incurs perpetual Disability to vote in any Election of Members, &c. and to hold any Office or Franchise in any City, Borough, &c. And if any Offender against this Act shall within twelve Months next after such Election, discover any other Offender, so as to be convicted, the Discoverer not having been before convicted of offending against this Act, shall be indemnified from the Penalties and Disabilities aforesaid. *Stat. 2. G. 2. c. 24.*

And the Returning Officer is to read or cause to be read openly this Act at the Time of Election, immediately after the Reading

Reading the Writ or Precept, &c. Every Officer who ought to execute any such Writ or Precept, &c. forfeits 50 l. with full Costs for every wilful Offence contrary to this Act: Prosecution to be commenced within two Years after the Offence, and carried on without wilful Delay, *ibid.*

C H A P. II.

Of Electors in General.

TH E R E are some Requisites which are to be expected in all Electors whether for Knights, Citizens, Burgesses or Barons of the Ports, &c. and if they will not conform themselves to the Laws and take the Oaths prescribed when required, their Votes are to be rejected; and for some Instances of Maleverſation they incur other severe Penalties.

Every Elector, if required, shall, instead of the Oaths of Allegiance and Supremacy, take the Oath (appointed by Stat. 1. W. and M. c. 1.) with which I shall not incumber this short Treatise, they being so well known, and in every Hand, this is by Stat. 7 and 8. W. 3. c. 27. And shall also (by the same Act) make and subscribe the Declaration, appoint-

appointed by *Stat. 30. C. 2. c. 1.* and (by *Stat. 4. Ann. c. 8.*) the Oath of Abjuration.

And by *Stat 2. G. 2. c. 24.* Every Voter shall take the Oath (which see in *Ch. 1.*) of Bribery, if demanded by a Candidate, or any two Electors.

Quakers in all these Cases are allowed Affirmation instead of an Oath, by *1. G. Seff. 1. c. 7.*

All Electors must be twenty one Years of Age by *Stat. 7. and 8. W. 3. c. 25.*

CHAP. III.

Of Electors for Knights of Shires.

THESE must be Freeholders of forty Shillings *per Annum* at least, above all Charges in Lands, Tenements, or Hereditaments; see *Stat. 8. H. 6. c. 7.* and besides the Oaths mentioned in the preceding Section, shall, if required by a Candidate or any Person having a Right to Vote, take the Oath appointed by *Stat. 10. Ann. c. 23.* No Person shall be allowed to Vote by reason of a Trust Estate or Mortgage, unless he be in actual Possession, or Receipt of Rents or Profits, but the Mortgager or

Celui

Celui qui trusts may Vote. All Conveyances of any Hereditament, in order to multiply Votes, or split the Interest among several, to enable them to Vote, are void, and only one single Person shall be admitted to Vote for the same House or Tenement, 7 & 8 W. 3. c. 25. See Ch. 8. for the Freeholders Oath.

Estates and Conveyances made collusively to qualify Persons to give their Votes at Elections of Knights of the Shire, shall be taken against the Grantors, &c. as free and absolute, and be held by the Grantee, &c. acquitted from all manner of Trusts, Clauses of Re-entry, &c. and all Bonds, Covenants, &c. for restoring thereof, shall be void.

And every Person who executes such Conveyance, or being privy to such Purpose, devises or prepares the same, or, who, by colour thereof, gives a Vote at any Election of Knights of a Shire, forfeits 40*l.* to him that will sue, Stat. 10. Ann. c. 23.

No Person shall Vote for a Knight of a Shire in *England*, in Right of Lands which have not been Assessed to publick Taxes, Church Rates, and Parish Duties in such proportion as other Lands of 40*s.* *per Annum* in the same Parish, and for which such Person has not received the Rents, or

was

was intituled so to do, to the Value of forty Shillings or more, to his own Use, for one Year before such Election, unless it came by Descent, Marriage, Devise, Presentation to some Benefice, or Promotion to an Office. He that Votes contrary to the true Intent of this Act, forfeits 40*l.* a Moiety to the Poor where the Lands lie, the other to the Person suing. *Stat. 10. Ann. c. 23.*

The last mentioned Act is not to restrain any Person from Voting in Right of Rents, Tithes, or other incorporeal Inheritances, Messuages or Lands in *Extra-Parochial* Places, Chambers in the Inns of Court, or Inns of Chancery, Messuages or Seats belonging to any Offices, or in Right of any other Messuages or Lands, that have not been actually Charged and Assessed to all and every the publick Taxes, Church Rates, and Parish Duties; provided such Messuages or Lands have been usually Charged or Assessed to some one or more of said publick Taxes, Rates or Duties, in such Proportion as other Messuages or Lands of 40*s.* *per Annum*, within the same Parish or Township, are usually Charged. *Stat. 12. Ann. c. 5.*

CHAP. IV.

Of Electors in Cities and Boroughs, &c.

BY an old Statute (23 H. 6. c. 15.) Citizens are to be chosen by Citizens of the same City, and Burgesses by Burgesses of the same Borough. *But certain it is that many Corporations choose their Members in Right of other Qualifications, as of Freeholds, (see Ch. 3. sect. 1. against splitting Freeholds) or Inhabitancy only; or of different Qualifications for the Right of Election in the same Borough. These depend on Charter or Prescription which are in each Place, Lex Loci, and are very various.*

But all intricacy of these Rights, and the danger of making an improper Return, is remedied and avoided in favour of the Returning Officer; for by Stat. 2. G. 2. c. 24. such Votes shall be deemed legal, which have been so declared by the last Determination in the House of Commons; which shall be final to all Intents and Purpose, &c. See page 209.

CHAP. V.

*Of Electors and Elections of Citizens
in London.*

UPON every Election in case a Poll be demanded by a Candidate, or two or more Electors, the presiding Officers shall appoint a convenient Number of Clerks to take the same, who shall take it in the Presence of the presiding Officers, and be sworn by such Officers, truly and indifferently to take the same, and to set down the Name of each Voter, and his place of Residence or Abode, and for whom he polls; and to poll no Person, who shall not be sworn, or being a Quaker shall not Affirm according to the Direction of this Act; and every Person before he is admitted to poll shall take the Oath after mentioned, or being a Quaker, solemnly Affirm the Effect thereof.

You do Swear, that you are a Freeman of London, and a Liveryman of the Company of _____ and so have been for the space of twelve Kalendar Months; and that the Place of your abode is at _____ in _____ and that you have not polled at this Election.

So help you God.

R

The

The Votes are void, of Persons who refuse the said Oath or Affirmation. 11 G. 1. c. 18.

Each Voter, upon every Election, shall before he is admitted to Poll, (if required by a Candidate, or two or more Electors) take the Oaths, in *Stat. 1. G. 1. Sess. 1. c. 7.* or being Quakers, shall solemnly Affirm the Effect thereof, and on refusal the Vote of such Person shall be rejected, *ibid.*

The presiding Officers and sworn Clerks, are to administer the said Oaths and Affirmations; and on neglect or refusal, or otherwise offending in the Premises contrary to the Intent of this Act; they forfeit 60*l.* and Costs, for each Offence, *ibid.*

Persons wilfully, falsely and corruptly Swearing or Affirming, as above, or suborning another, shall for every Offence incur and suffer such Penalties, Forfeitures and Disabilities, as Persons convicted of wilful and corrupt Perjury at Common Law, *ibid.*

If a Poll be demanded, the presiding Officers shall begin it the Day it is demanded, or the next Day following at furthest, unless it happens on a *Sunday*, and then on the next Day after, and shall duly proceed from day to day (*Sundays* excepted) 'till it be finish'd, and shall finish the Poll within seven Days (exclusive of *Sundays*) after
commen-

commencing the same, and shall upon adjourning the Poll each Day, seal up the Poll Books with the Seals, and in the Presence of such Candidates, or Persons deputed by them, as desire the same, *ibid.*

After the Poll is finished, the Poll Books sealed, as aforesaid, shall within two Days after be publickly opened at the Place of Election, and truly cast up, and within two Days after casting up, the Numbers of Votes for each Candidate shall be truly, fairly and publickly declared to the Electors, at the Place of Election, by the Officers presiding; *ibid.*

And if a Scrutiny be lawfully demanded, it shall be immediately granted and proceeded upon, and the respective Candidates shall immediately nominate to the presiding Officers, not exceeding six Persons qualified to Vote, to be Scrutineers for the Candidate or Candidates on each Side, to whom the presiding Officers shall within six Days after the Scrutiny demanded, upon Request, and at the Charge of the Candidate or any Scrutineers on his Behalf, cause to be delivered a true Copy of the Poll, signed by the said Officers; and the Scrutiny shall begin within ten Days after the delivery of the Copies of the Poll, and be proceeded on day by day (*Sundays excepted*) and be finish'd within

fifteen Days, after its Commencement; and the presiding Officers shall within four Days after it is finish'd, publickly declare at the Place of Election, which Candidates are duly elected, and the Number of legal Votes appearing to him on the Scrutiny.

Presiding Officers offending in the Premises, forfeit for every Offence two hundred Pounds, and full Costs.

After any Election and Scrutiny, the presiding Officers shall deliver under their hands a true List of the Voters disallowed upon the Scrutiny, to any Candidate, who shall, upon the final Declaration of the Election, demand the same, within six Days after such Demand, such Candidate paying for the same; provided no such List, nor Thing contained therein, shall be given in Evidence on any Action or Occasion.

The Mayor, upon Request by any Candidate, or his Agent, at any Election where a Scrutiny is demanded and granted, shall issue Precepts, as has been usual, requiring the Masters and Wardens of the Livery-Companies, to cause their Clerks forthwith to return two true Lists of all the Liverymen of their respective Companies; who shall return them on Oath within three Days after the receipt of such Precept, one of which Lists, the Mayor is to
cause

cause to be deliver'd to the Candidate or Candidates on each Side at such Election, or their Agents.

No Person shall have a Right to vote who has not been twelve Kalendar Months upon the Livery, and who has not paid his Livery Fine; or, who having paid the same, has received it or part of it back, or has had any Allowance in respect thereof; or who at any Time within two Years next before the Election has requested to be, and accordingly has been discharged from paying the Rates and Taxes, to which the Citizens of *London*, inhabiting therein, are liable; or has received any Alms whatsoever.

The above Forfeitures shall go one Third to the King; one Third to the Chamberlain, to the Use of the City; and one Third to him that will sue.

This is to be a publick Act. 11 G. 1. c. 18.

C H A P. VI.

Of *Cheshire, Wales, Durham,*
Scotland.

THE Statutes relating to these, are,
34 & 35 H. 8. ch. 13. for *Cheshire.*
35 H. 8. ch. 11. for *Wales.*

R 3

25 C. 2.

25 C. 2. ch. 9. for *Durham*.

5 Ann. ch. 8. & 6 Ann. ch. 6. & 6

Ann. ch. 13. & 9 Ann. ch. 5. & 12

Ann. ch. 6. & 7 G. 2. ch. 16. for *Scotland*.

But as these are too numerous to be brought into this little Treatise, let it suffice to say, that all the Laws which concern Elections throughout the Counties of *England*, are also in Force throughout the united Kingdom.

C H A P. VII.

Of the Candidates.

BY an old Stat. 1 H. 5. ch. 1. Knights of Shires were not to be chosen, unless resident within the Shire, the Day of the Date of the Writ; and the Citizens and Burgeffes were to be chosen Men, Citizens and Burgeffes, resident, dwelling and free in the same Cities and Boroughs. *But these Regulations, tho' not repealed, are neglected.* By Stat. 8. H. 6. ch. 7. Such as have the greatest Number of them that are resident and may expend 40 s. by the Year and above, shall be returned Knights of the Shire by Indenture, between the Sheriff and Electors. *But the Non-residence of E-*
lector

lector or Elected is not regarded at this day.
 By Stat. 23 H. 6. ch. 15. Knights of Shires
 are to be notable Knights, or such notable
 Esquires or Gentlemen born, of the same
 Counties, as shall be able to be Knights.
 And no Man to be such Knight which
 stands in the Degree of a Yeoman or un-
 der. *Note, at the Time of making last menti-*
oned Statute, Freeholders of 40 l. per Annum
were compellable to take the Order of Knight-
hood, which Law was abolished by Stat. 16
C. 1. ch. 1. and there is at this Day a much lar-
ger Qualification required by Stat. 9 Ann. ch.
5. viz. an Estate Freehold or Copyhold for
his own Life, or for some greater Estate,
either in Law or Equity to his own Use,
in Lands, Tenements or Hereditaments,
above what will satisfy and clear all In-
cumbrances within England, of the yearly
Value of six hundred Pounds above Re-
prizes for a Knight of a Shire, and 300 l.
for a Citizen, Burgefs, &c. or the Election
and Return to be void. But this is not to
extend to the eldest Son or Heir apparent
of any Peer or Lord of Parliament (there-
fore not to the eldest Son of a Bishop;) or of
 any Person qualified by this Act, to serve
 as Knight of a Shire, incapable of being
 elected and returned, and sitting and voting
 as a Member (*this Exception is in favour of*
the eldest Sons of Landed Recusants, and will
aid

such whose Fathers have otherwise disqualified themselves) neither is it to extend to the two Universities. Persons are not qualified by virtue of a Mortgage, where the Equity of Redemption is in another, unless the Mortgagee has been in Possession seven Years before the Election, and every Candidate shall upon request to him to be made (at the Time of such Election; or before the Day to be prefix'd in the Writ, for the Meeting of the Parliament) by any other Candidate, or two more Electors, take the following Corporal Oath. *I A. B. do swear, that I truly, and bona fide, have such an Estate in Law or Equity to and for my own Use and Benefit, of or in Lands, Tenements or Hereditaments (over and above what will satisfy and clear all Incumbrances that may affect the same) of the annual Value of 600 l. Pounds above Reprizes, as doth qualify me to be elected and returned, to serve as a Member for the County of _____ according to the Tenor and true Meaning of the Act of Parliament in that Behalf; and that my said Lands, Tenements or Hereditaments, are lying or being within the Parish, Township or Precinct of _____ or in the several Parishes Townships, or Precincts of _____ in the County of _____ or in the several Counties of _____ (as the Case may be.)*

The

The like Oath (*mutatis mutandis*) as to Value of 300 *l. per Annum*, to be taken by Candidates for a City, Borough, &c.

The respective Oaths aforesaid shall be administred by the Officer who ought to take the Poll or make the Return, or by any two Justices of Peace in *England, Wales,* and *Berwick upon Tweed*; and they are to certify the taking thereof into the *Chancery* or *King's-Bench* within three Months after the taking the same, under Penalty of 100 *l.* with full Costs; if any Candidate wilfully refuse upon reasonable Request to take the said Oath, his Election and Return shall be void. One Shilling Fee for administring said Oath, two Shillings for making the Certificate, and two Shillings for filing it. Officer taking a greater Fee forfeits twenty Pounds, 9 *Ann. ch. 5.*

Hilberto of the Condition or Fortune of a Candidate: as to his Age, if he be under the Age of Twenty-One Years, the Return is declared null and void, and if he sits he incurs Penalties as if not chosen, by 7 & 8 *W. 3. ch. 25.* *Besides the Incapacities for want of Fortune, and for Nonage, there are several other Species.* 3. As the defect of Birth; as in Case of an Alien, though Naturalized, unless he be born of *English* Parents: 4. By Omission, as in case of Recusants, and by *Stat. 30 C. 2. ch. 1.* Any Member who
Votes

Votes or sits after the *Speaker* is chosen, without taking the Oaths of Allegiance and Supremacy, (which are altered by 1 *W. & M.*) and repeating the Declaration in said Act, in the full House, the *Speaker* in his Chair, shall be adjudged a Popish Recusant convict, and forfeits 500 *l.* And Persons refusing said Oaths and Declaration when required by the House, and presuming to sit, shall be incapable to sit or vote during that Parliament. The Abjuration Oath is by *Stat. 13 & 14 W. 3. ch. 6.* injoin'd with like Penalties, which Oath is settled as to the form, by 4 *Ann. ch. 8. 5.* By Office, as Commissioners or Farmers of the Customs, or Persons enjoying such Office in the Name of others, or by Deputy, by 12 & 13 *W. 3. ch. 10.* and by 2 & 3 *Ann. c. 4.* the Register of Deeds and Wills in the West-Riding of *Yorkshire.* And he (by 4 & 5 *Ann. c. 8.*) who shall have in his own Name or in a Trustee, any new Office created after that Act, and Commissioners, &c. of Prizes, Comptroller of Army-Accounts, Commissioner of Transports, or of Sick and Wounded, or Agent of Regiment, or Commissioner of Wine-Licence, or Governor or Deputy-Governor of Plantations, or Commissioner of the Navy employed in Out-Ports, or Pensioner of the Crown during Pleasure, and by *Stat. 1. G. 1. c. 56.* Pensioners for Years. And

And if any Member accepts any Office or Profit from the Crown during such time as he shall continue a Member, his Election is void, but he is capable of being Re-elected; this does not extend to Officers in Army or Navy. If an incapacitated Member be returned 'tis void, and if he sit he forfeits 500*l.* and by 6 *Ann. ch. 35.* the Register of Deeds, &c. in the East-Riding of *Yorkshire* is in-capable.

C H A P. VIII.

*Of the Time and Place and Manner
of Election, wherein of Adjourn-
ments.*

STAT. 7 H. 8. c. 15. Formerly Knights of the Shire were to be chosen at the next County (that is County-Court) to be holden after the delivery of the Writ, and accordingly in the Reign of Queen Elizabeth an Election was made for the County of Norfolk the Day after the delivery of the Writ, which, with other incidents, occasioned a large Debate in the House, but was held to be good and legal.

By Statute 7 & 8 W. 3. c. 25. when any new Parliament shall be called, there shall be Forty Days between the Teste and Returns

Returns of the Writs, and the Writs shall issue with as much Expedition as may be. And as well upon calling a new Parliament, as in the case of any Vacancy, the Writ shall be delivered to the proper Officer, and to no other Person. And he shall endorse thereon the Day he received it, and forthwith make out the Precepts to each Borough, &c. within his Jurisdiction where any Member is to be elected, and within Three Days after the Receipt of the Writ, shall by himself or proper Agent, deliver such Precept to the proper Officer of such Borough, &c. to whom the Execution of it appertains, and to no other Person, and such Officer shall endorse thereon the Day of his Receipt thereof in the presence of the Party from whom he receives it, and shall forthwith cause Notice to be given of the Time and Place of Election, and proceed to Election within Eight Days next after the Receipt of the Precept, and give Four Days Notice at least of the Day appointed for Election.

No Officer, to whom the Execution of such Writ or Precept belongs, shall give, pay, receive or take any Reward or Gratuity whatsoever, for the making out, Receipt, Delivery, Return or Execution of such Writ or Precept.

Formerly

Formerly the Sheriff had a discretionary Power of adjourning the Poll to another Place by common Law, see No. 17: By Statute 7 & 8 W. 3. ch. 25. he is to hold his County-Court for the Election at the most publick and usual Place of Election in the County, and where the same has most usually been for Forty Years last past; and shall there proceed to Election at the next County-Court, unless it falls out to be held within Six Days after the Receipt of the Writ, or on the same Day, and then shall adjourn the same Court to some convenient Day, giving Ten Days Notice of the Time and Place of Election. And if the Election be not determined on the View, with the Consent of the Freeholders present, but that a Poll is required, then the Sheriff, or in his Absence the Under-Sheriff, with such others as shall be deputed by him, shall forthwith there proceed to take the Poll in some open or publick Place or Places: And the Sheriff, or in his Absence the Under-Sheriff or such as he shall depute, shall appoint such Number of Clerks as to him shall seem meet, for taking thereof; which Clerks shall all take the Poll in presence of said Sheriff, or Under-Sheriff, or such as he shall depute; and before they begin, every such Clerk shall, by the Sheriff or Under-Sheriff,

S

riff,

riff, be sworn truly and indifferently to take the same Poll, and to set down the Names of each Freeholder, and the Place of his Freehold, and for whom he shall Poll, and to Poll no Freeholder who is not sworn, if so required by the Candidates, or any of them, 7 & 8 W. 3. c. 25.

And the Sheriff or Under-Sheriff shall appoint for each Candidate, one Person nominated by each Candidate, to be Inspectors of every Clerk so appointed.

If any Person taking said Oath, thereby commits wilful Perjury, or suborn another to commit such Perjury, they incur the Penalties of Stat. 5 Eliz. ibid.

The Sheriff, or in his Absence the Under-Sheriff, or such as he shall depute, shall at the place of Election proceed to Polling all the Freeholders then and there present, and shall not adjourn to any other Town and Place, without consent of the Candidates, nor shall by any unnecessary Adjournment in the same Place, protract or delay that Election; but shall duly and orderly proceed to take the Poll from Day to Day, and time to time, without any further or other Adjournment, without the consent of the Candidates, until all the Freeholders then and there present shall be Polled, 7 & 8 W. 3. ch. 25.

The Officer to whom the Execution of such Writ or Precept belongs, shall forthwith deliver to such Person as desires the same, a Copy of the Poll, paying only a reasonable Charge for writing the same; and every such Officer for every wilful Offence against this Act, forfeits to the Party grieved five hundred Pounds, and full Costs, *ibid.*

The County-Court of *Yorkshire* which used to be on a *Monday*, shall hereafter be held on *Wednesday*, and so shall other County-Courts which used to be held on *Monday*, *ibid.*

The Sheriff of *Hampshire*, or his Deputy at the Request of one Candidate, may adjourn the Poll for *Winchester*, after every Freeholder then and there present is polled, to *Newport* in the *Isle of Wight*, *ibid.*

On Elections for Shires, every Freeholder, if required by a Candidate or other Voter, shall be sworn to his Freehold by the Sheriff, who in taking the Poll shall enter the Place of the Voter's Freehold, and of his Abode, and *Jurat*' against the Name of every one who takes the Oath hereby required; and the Returning-Officer shall, in twenty Days after the Election, deliver over the Poll Books to the Clerk of the Peace, upon Oath to be administer'd by two next Justices, *Qu. unus, &c. Stat. 10. Ann. c. 23.*

The Freeholder's Oath is as follows;

*You shall Swear that you are a Freeholder
in the County of _____ and have Free-
hold Lands, or Hereditaments lying or being at
_____ in the County of _____
of the yearly Value of forty Skillings, above all
Charges payable out of the same, and that such
Freehold Estate hath not been made or granted
to you fraudulently, on purpose to qualify you
to give your Vote; and that the Place of your
Abode is at _____ in _____ and that
you have not been polled before at this Election.*

CHAP. IX.

Of Returns.

THE Return of Knights is to be by Indentures sealed, to be made between the Sheriff and the Electors, *Stat. 8. H. 6. c. 7.*

Sheriffs incur a Penalty of 100 l. to the King for a false Return, being thereof duly attainted, *Stat. 8. H. 6. c. 7.*

Sheriffs shall make their Precepts, &c. and Mayors, &c. shall lawfully return the Precepts, by Indenture between the same Sheriff and them, of the Names of the Elected; and the Sheriffs shall make good and rightful Returns of every Writ, and of every Return by Mayors, &c. *Stat. 23. H. 6. c. 15.*

The

The Statute last mentioned, gives an Action against the Sheriff, his Executors and Administrators, for 100 *l.* and Costs for a false Return, and 40 *l.* to the King, and an Action for 40 *l.* and Costs against a Mayor, &c. his Executors and Administrators, for the like Offence, the Actions to commence in three Months, and proceed effectually.

Returns contrary to the last Determination of the House of Commons, are to be deemed false, and the Plaintiff shall recover double Damages and full Costs, and the like for double Returns, and all Contracts to procure any Return are void; whoever makes such Contract, 300 *l.* and Costs, *Stat.* 7 & 8 *W. 3. cb.* 7. continued by *Stat.* 12 & 13 *W. 3. cb.* 5. and made perpetual by 12 *Ann. Stat.* 1. *cb.* 15.

Information on this Statute to be within two Years, *ibid.*

Sheriffs, &c. shall return the Writs with all convenient Expedition, not exceeding fourteen Days after the Election made, paying to the Clerk of the Crown, 4 *s.* for every Knight, and 2 *s.* for every Citizen, &c. which shall be allowed in his Account, *Stat.* 10 & 11 *W. 3. cb.* 7.

Sheriffs, &c. not making Returns according to this Act, forfeit 500 *l.* See their Oath, *cb.* 1.



INDEX.

A.

A Beristwith, *see* Cardigan..

Abingdon, 1, 137.

Adjournment, 17.

Agmondisham, 122.

Ailesbury, 2.

St. Albans, 3, 121, 197.

Aldborough *in* Suffolk, 147, 225.

Aldborough *in* York, 4, 5, 6.

Alien, 68.

Alms, 1, 2, 21, 71, 73, 74, 94, 134, 142, 184, 236.

Andover, 7, 112, 238, 314.

Arundel, 8.

Ashburton, 132, 176.

Aylesbury, *see* Ailesbury.

B.

Banbury, 9.

Bath, 127.

Beaumaris, 150, 329, 330.

Bedford-County, 228, 229, 230, 233.

Bedford-Town, 10.

Great Bedwin, 325.

Bere-aiston, 261, 272, 273.

Beverly, 324.

Bewdly, 11, 140, 152.

Boston, 12, 185, 268.

Brackley, 196.

Bramber, 14.

Brecon, 13.

Bribery,



I N D E X.

Bribery, 6, 7, 17, 58, 59, 50, 86, 91, 93, 97, 98, 104,
105, 138, 227, 305, 324.

Bridport, 15, 214.

Buckingham, 16.

Bury St. Edmunds, 198.

C.

Calne, 153, 300, 301.

Cambridge, 149, 210, 219.

Camelford, 179.

Candidate, *who legal*, 35.

Cardigan, 17, 335, 336.

Carlisle, 18, 175.

Carmarthen, 317, 318.

Certificate-Man, *if a good Vote?* 94, 126.

Charge, *false*, 94.

Charity, *see* Alms.

Cheping-Wicombe, 307, *to* 311.

Cirencester, 21, 143.

Cockermouth, 174, 255.

Colchester, 19, 91, 93, 161, 193, 201.

Contempt (*see* Petition, Privilege) 129, 193, 210,
267, 278.

Corfe-Castle, 267.

Coroner, *maybe a Candidate*, 35.

Corruption, *see* Bribery.

Coventry, 73, 77, 128, 142, 184, 288, 289.

Cricklade, 20.

Cumberland, 211.

Cyrencester, *see* Cirencester.

D.

Dartmouth, (*alias* Clifton-Dartmouth-Hardness)
22.

Denizen, 68.

Devizes, 23.

Disqualification of Members, 141, 154, 165, 167,
169, 178, 183, 208, 232, 238, 239, 240, 244,
245, 247, 255, 261, 262, 263, 265, 271, 338, 339.

Dor.

I N D E X.

Dorchester, 269, 270.
 Dorset County, 24.
 Dover, 25.
 Droitwich, 26.
 Dumbarton, 304.
 Dumfries, 168.
 Dunheved, *see* Launceston.
 Dunwich, 27, 28, 139, 141.

E.

East-Grinstead, 29, 30.
 East-Retford, 76, 100, 101, 125, 156.
 St. Edmund's-Bury, *see* Bury St. Edmund's.
 Election (*see* Notice) *when to be?* 148.
 Void, 85, 128, 151, 183, 185, 287, 290.
 Lords not to intermeddle, 87, 88, 89, 90, 96, 185.
 Votes, how to be given, 126.
 Evidence, *written, what proper, or not*, 138, 142,
 166, 200, 230, 235, 274, 332.
 By Witnesses, *see* Witnesses.
 Of what proper, or not, 31, 61, 158, 174, 200,
 212, 214, 228, 233, 236, 288, 332, 333.
 Eye, 244.

F.

Flint, 323.
 Foreigner, *see* Alien.
 Freedom of Elections, 1.
 Freehold *what good, or not*, 168, 171, 205, 229,
 304, 337.
 Freemen, *when to be made*, 22, 75, 113, 170.
 At whose charge to be made, 126.

G.

Grantham, 157.
 Great Bedwin, *see in Letter B*
 Great Marlow, *see in Letter M*.
 Grinstead, *see* East-Grinstead.

H.

Harwich, * 195.
 Haslemere, 30, 187.

Hastings,

I N D E X.

Hastings, 32.
 Haverford-west, 231.
 Hertford-County, 31.
 Hertford-Town, 71, 123, 217, 218.
 Higham-Ferrers, 111.
 Hindon, 86, 97, 98, 320.
 Honiton, 163, 303.
 Horsham, 224.
 Hyeth, 160.

I.

Ilchester, 33.
 Inmates, 21.
 Inverness, 281.
 Ipswich, 162, 194.
 St. Ives, 34, 106.

K.

King's-Lynn, 183.
 Kinross, 166.

L.

Launceston, 239, 302.
 Leicester, 126.
 Leominster, 246, 248.
 Lestwithiel, 146.
 Litchfield, 266.
 Liverpool, 35, 331.
 Ludgershall, 36.
 Ludlow, 37, 38.
 Lymington, 39, 40, 155.
 Lynn-Regis, *see* King's-Lynn.

M.

Maidstone, 72, 77, 104, 105.
 Malden, 215, 216.
 Marlborough, 250.
 Great-Marlow, 41.
 Mayor, *his Duty*, 35, 106, 109, 113, 177, 218,
 267, 270.
 Merioneth County, 79.

Milborn-

I N D E X.

Milborn-Port, 107.
 Minehead, 251, 252, 253, 264, 275, 276.
 Mitchell, 42.
 Monmouth, 222, 223.
 Montgomery, 44, 321.
 Morpeth, 43.

N.

Newark, 45.
 Newcastle Under-line, 221.
 New-Radnor, *see* Letter R.
 Newton *in the Isle of Wight*, 328.
 New-Windsor, *see* Letter W.
 Northampton, 46.
 Norwich, 74, 75, 124.
 Notice, *where necessary*, 15, 206.
 Nottingham, 47.
 Nottingham County, 78.

O.

Oakhampton, 172.
 Offences, 124, 135, 306, 307, 308, 309, 310.
 Old Sarum, *see in* Letter S.
 Orford, 48, 138.

P.

Peebles, 337.
 Pembroke, 182.
 Peterborough, 319, 322.
 Petersfield, 311, 312.
 Petition, *how to be brought, &c.* 34, 187, 188, 195,
 202, 246, 248, 292, 329.
 Groundless, Scandalous, &c. 56, 65, 72, 77, 204.
 Plympton, 49, 113.
 Portsmouth, 50, 164.
 Privilege, *Breach of it*, 18, 57, 77, 115, *to* 121.
 Against Lords intermeddling, 88, 89, 90, 96,
 175, 185.

Q.

Quakers, 30, 203.

Qua-

I N D E X.

Qualification, *how objected to, &c.* 189, *to* 193,
213, 216, 256, *to* 261, 313, 334.

Queenborough, 326.

R.

New-Radnor, 51.

Reading, 133, 134, 243.

Retford, *see* East-Retford *in* Letter E.

Return, 13, 46, 211, 223, 226, 251, 253, 273,
275, 276, 277, 281 *to* 287, 294, 301.

Double, 23, 25, 33, 44, 209, 251, 316.

Not to be altered, 10.

False, 106.

Returning-Officer, *see* Mayor, Sheriff.

Richmond, 315.

Riot, 80, 128, 287, 290, 291.

Rosshire, 148.

Rutland, 158.

Rye, 108, 170.

S.

Sacramental Test, *see* Test.

Sandwich, 52.

Old Sarum, 245.

Scrutiny, *when to be granted*, 181.

Shaftesbury, 53, 212, 213.

Sheriff, *his Duty on the Poll*, 24, 73, 77.

His Duty on the Return, 73, 77, 78, 79, 211,
276.

Shrewsbury, 145, 204, 298.

Southampton, 54, 55.

Southwark, 56, 57, 80, *to* 86, 181, 203, 207.

Stafford, 159, 293, 305, 306.

Stirling, 188, 202.

Stockbridge, 58, 59, 60.

Sudbury, 109, 114.

Sutherland, 297.

T.

Tampering with Witnesses, 14.

Tam

I N D E X.

- Tamworth, 103, 295.
 Tavistock, 62, 63, 110.
 Taunton, 234, 235, 236.
 Test, 99, 164.
 Thetford, 64.
 Tiverton, 151.
 Tornefs, 65.
 Treating Unlawful, 6.
W.
 Wallingford, 144.
 Warwick, 66, 296.
 Wells, 67, 241, 242, 299, 327.
 Wendover, 94.
 Weobly, 227.
 Westbury, 102, 209, 220.
 Westminster, 68, 135, 287.
 Weymouth, and Melcomb-Regis, 177, 205.
 Whitchurch, 136, 232, 274.
 Wigtown, 193.
 Wilton, 99.
 Winchelsea, 180.
 New-Windsor, 69, 70.
 Wiston, 182.
 Witnesses, (*See Tampering*) *who proper or not, and to what*, 137, 140, 168, 212, 217, 221, 264.
 Shall have their Charges, 43, 186, 237, 254.
 Woodstock, 192, 247.
 Worcester County, 87 to 91.
 Writ, *to whom to be directed*, 103.
Y.
 Yarmouth, 249.

The Reader is to observe, that this Index does not comprehend the nine Chapters at the latter end of the Book, because they have their several Titles.

F I N I S.